

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE
CITY OF LUFKIN, TEXAS, HELD ON JUNE 20, 1961, at 7:30 PM

On this the 20th day of June, 1961, the City Commission of the City of Lufkin, Texas, convened in regular session in regular meeting place in said City, with following members thereof, to-wit:

Jim Waters	Mayor
E. Kurl Shirey	Commissioner, Ward No. 1
Beamon S. Cook	Commissioner, Ward No. 2
S. Harry Kerr	Commissioner, Ward No. 3
Harold Schmitzer	City Manager
Lynn Durham	City Secretary
William D. Perkins	City Attorney

being present, and the following absent:

A. G. Welch	Commissioner, Ward No. 4
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constituting a quorum, when the following business was transacted:

1. Meeting called to order by Rev. Sam Farris, pastor of Happy Hour Baptist Church.
2. Minutes of previous meeting were read and approved after minor correction of Item 10.
3. Visitors were welcomed by Mayor Jim Waters, some being present in connection with items on the agenda, while others were present as observers. Mayor also thanked Rev. Farris for his presence and invited him to stay for entire meeting or to feel free to leave when he desired.
4. Benton Musslewhite, attorney, appeared before the Commission and requested favorable action on request of Mr. Joe Stephano for reimbursement of portion of money paid to City for water and sewer taps to 19 houses. Stated Mr. Stephano paid \$80.00 per house and desired reimbursement of \$60.00 per house, saying that he had an agreement with former acting City Manager, Joe McClendon, that he would be able to secure free taps for these houses at any time he desired to connect them. Mr. Musslewhite suggested that Mr. McClendon be contacted and if City finds above agreement to have been made, that reimbursement be made to Mr. Stephano. Some Commission members did not feel any agreement with former officials would have any effect on present lines. Also that present sewer line was laid by City to take care of Mr. Stephano's needs. Mr. Stephano, who was also present, stated that he was allowed 10 free sewer taps on present line; however, City Manager stated he did not recall this. Commissioner S. Harry Kerr made motion that City request letter from Mr. McClendon on what his intent was in this regard before definite decision is made by City Commission. Commissioner E. Kurl Shirey seconded motion and the vote was unanimous.
5. Mr. Joe Barnes appeared before City Commission and stated he appreciated being placed on the agenda but had been in contact with person whose dismissal he desired to discuss and this person demanded no discussion be had in his behalf. Therefore, since this was the case, and since other persons did not appear at this meeting as they had indicated, did not have any remarks to make. Mayor Waters thanked him and invited him to visit City Commission at any time he so desired.
6. City Attorney read Ordinance which he had prepared covering administration and regulation of Corporation Court. Some minor corrections were noted. Commissioner E. Kurl Shirey made motion that Ordinance be passed on first reading, seconded by Commissioner S. Harry Kerr and voted unanimously.

7. City Attorney read Ordinance which he had prepared covering recodification of existing traffic Ordinances and provisions covering regulations that have not been previously covered by Ordinance, such as one-way streets, etc. Two visitors were present, Carlton D. Brashear and Louie McGowan, to protest extension of one-way traffic one block north on North Second St. as requested by Central Church of Christ. This item was discussed in considerable detail and several other changes noted in wording. Commissioner E. Kurl Shirey made motion that Ordinance be passed on first reading without extending one-way traffic on North Second Street one block or any other streets. Commissioner S. Harry Kerr seconded the motion and vote was unanimous.
8. After some discussion, Commissioner S. Harry Kerr made motion that Ordinance covering zone change from "A" to "H" District covering Lot No. 2, Block No. 31, Denman Addition, as requested by A. W. Conn, be passed on second and final reading. Commissioner E. Kurl Shirey seconded the motion and vote was unanimous.
9. City Manager advised that according to Charter, designation of bank for City deposits, is to be made every two years. A check of records indicates this has not been done for some time. He recommended that Lufkin National Bank, where our City funds are now deposited, be designated. Commissioner S. Harry Kerr made motion to this effect, seconded by Commissioner E. Kurl Shirey and vote was unanimous.
10. City Manager distributed copy of monthly progress report and Mayor suggested this report be read later by City Commission members rather than going over at this meeting.
11. City Manager read letter from Negro Chamber of Commerce requesting permission to operate a Carnival in Jones Lake Park each year on Splash Day and June 19th. City Manager felt this request was in order for this particular time but did not recommend it be granted to cover future requests, as it was his feeling each request should be handled when received. Commissioner S. Harry Kerr made motion that this particular request be granted, seconded by Commissioner Beamon S. Cook and the vote was unanimous.
12. City Manager called attention to his letter to City Commission dated June 20, 1961, regarding heavy traffic congestion on Frank Avenue due to heavy traffic, narrow street and doctor's clinics. Stated that Police and Fire Department Chiefs, at his request, had made study of this condition and it was the feeling of all concerned that a fire lane should be established on Frank Avenue from Herndon to Bynum and that no parking be allowed on the North side of Frank Avenue in this area. City Manager recommended this fire lane be approved by City Commission and that Ordinance be drawn up to cover. Commissioner S. Harry Kerr made motion that this recommendation be approved, seconded by Commissioner Beamon S. Cook and vote was unanimous.
13. City Manager, by letters dated June 20, 1961, requested authority of City Commission to advertise for bids on a new front end loader and a new motor grader of type similar to Allis Chalmers Model "D"; this equipment to replace present equipment on which the cost for frequent repairs is prohibitive. City Manager proposed to purchase this equipment on a lease-purchase plan. Commissioner Beamon S. Cook made motion that City Manager be authorized to advertise for bids as requested, seconded by Commissioner S. Harry Kerr and vote was unanimous.

14. City Manager presented, for authority to pay, the following estimates from Freese, Nichols, Turner & Collie for professional services in connection with our Sewer Improvement program:

Contracts 1, 2, & 3 (final)	\$371.80
Contract 4	<u>2.29</u>
Total	\$374.09

City Manager stated these estimates had been checked and were in line with Contract and recommended that he be authorized to pay. Commissioner E. Kurl Shirey made motion that payment of these estimates be authorized, seconded by Commissioner Beamon S. Cook and the vote was unanimous.

15. City Manager advised that costs covering engineering and inspection on Contracts 1 and 2, Sewer Improvement program with Howard Pool Company, had been compiled by City Engineer. This cost amounted to \$6,106.17 which is under the amount assessed Howard Pool Co. on Contract #2 for liquidated damages in amount of \$9,150.00. City Attorney advised that City, if it so desired, could go ahead and pay Howard Pool Co. the \$7,000.00 previously withheld on Contract #2 due to dispute between Howard Pool Co. and W. S. Dickey Clay Mfg. Co. because an indemnity agreement had been secured from Howard Pool Co. relieving the City of any liability. City Manager recommended that City pay this \$7,000.00 to Howard Pool Co., and that final Estimate No. 14, of Howard Pool Co., on Contract No. 1 in the amount of \$10,948.44 be paid; and that no liquidated damages be assessed against this contract, it being the feeling that the \$9,150.00 assessed against Contract #2 was sufficient for Contracts 1 and 2. Commissioner E. Kurl Shirey made motion that City Manager's recommendation be followed, seconded by Commissioner S. Harry Kerr and vote was unanimous.
16. Open items were gone over and discussed.
17. Commissioner E. Kurl Shirey made motion that invoices for the month be approved for payment. Commissioner Beamon S. Cook seconded the motion and vote was unanimous.
18. Mayor Jim Waters advised that inasmuch as our next regular meeting date falls on July 4th, holiday, suggested meeting be held on another date. After some discussion, Thursday, July 6th, was set for meeting date.
19. Mayor Jim Waters advised that the term of W. F. Collins as member of City Planning Commission would be up as of June 30 and that Mr. Collins did not desire to be considered for re-appointment due to other commitments. Mayor stated that he knew a number of good citizens he could recommend for this post, but he had one in particular he was recommending. This man is Harold Kaemmerling, local architect, whose educational background and other personal qualities would make him a very valuable member of the City Planning Commission. Mayor asked City Commission to confirm this appointment of Mr. Kaemmerling for the five-year period beginning July 1, 1961. Commissioner S. Harry Kerr made motion that Mr. Harold E. Kaemmerling be appointed as member of the City Planning Commission, effective as of July 1, 1961, for the five-year period to replace W. F. Collins. Commissioner Beamon S. Cook seconded the motion and the vote was unanimous.
20. Mayor Jim Waters called attention to letter he had received from Congressman John Dowdy to which was attached copy of letter from the Administrator of the General Services Administration to Congressman Dowdy advising that the old Post Office building in Lufkin would be used for non-postal service and would not be available for use by City of Lufkin as City Hall.

It was the feeling of City Commission that our application should be kept on file with the General Service Administration for its use and Mayor will write letter accordingly to General Services Administration.

21. Mayor Jim Waters inquired as to status of weed cutting program and if City going to follow present Ordinance. City Attorney stated we could go ahead and follow through on present Ordinance. However, if contested, did not know if Ordinance would be valid. City Manager was instructed by the City Commission to follow through on our present Ordinance and order weeds cut.
22. Mayor Jim Waters called attention to condition of crossings on railroads inside the city limits and that S.P.R.R. Company was not following ordinance on the detail construction of crossings. City Commission felt the Ordinance should be complied with in every detail and City Manager was instructed to contact Mr. Tanner of S.P.R.R. Company in Houston and ascertain intention of the S.P.R.R. Company in this regard.
23. There being no further business for consideration, meeting was adjourned at 11:40 PM.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas