

MINUTES OF SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 22nd DAY OF FEBRUARY, 1968, AT 10:00 AM

On the 22nd day of February, 1968, the City Commission of the City of Lufkin, Texas, convened in special 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
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
William E. Wolff	City Manager
David Walker	City Attorney
Lynn Durham	City Secretary

being present, and

Gene H. Nerren	Commissioner at Large, Place A
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being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. A. D. Thomas, Pastor of Goodwill Baptist Church, Lufkin, Texas.
2. Mayor explained that the City Attorney had requested the called meeting after having checked the legality of the various propositions which were to be submitted to the voters April 9, 1968. City Attorney explained that he had checked the legality of all three propositions which the Commission had passed after a regular meeting on Tuesday, February 20, 1968, being the same three propositions which were to be submitted to the voters April 9, 1968, and the City Attorney recommended that all three propositions be rescinded.

City Attorney then explained why each proposition should be rescinded. It was explained that the proposition pertaining to the Standard Housing Code was an Ordinance and that Ordinances were to be adopted by the City Commission and not the people and that a vote on an Ordinance by the people would only amount to a straw vote or a poll.

It was explained that proposition concerning Civil Service could not be called unless the proper petition was first filed with the City Commission.

It was explained that proposition concerning the Federal Assistance Program could not be held until certain legal requirements were first met: One such requirement being notice in the newspaper twice setting out when a public hearing would be held by the City Commission as to whether or not an election would be called. This had not been done and DW further explained that he had contacted the Attorney, Mr. Paul J. McClung with the Urban Development Program in Fort Worth, Texas, and that he also advised City Attorney that a hearing would be necessary before an election could be called and that if a vote was taken on the propositions that it would be void.

DVS made motion that DW's recommendations be followed. BMcN seconded the motion and a unanimous affirmative vote was recorded.

3. There being no further business for consideration, meeting was adjourned at 10:20 AM.

Earl Nisbet  
Mayor - City of Lufkin, Texas

ATTEST:

Lynn D. Dulan  
City Secretary - City of Lufkin, Texas