MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 16th DAY OF DECEMBER, 1969, AT 7:30 PM

On the 16th day of December, 1969, 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
Edgar C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Lynn Durham	City Secretary
Robert L. Flournoy	City Attorney

being present, and

Byron McNeil	Commissioner, Ward No. 3

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

1. Meeting opened with prayer by Rev. John Wilkins of First Methodist Church, Lufkin, Texas, who was thanked by Mayor for his participation.

2. Mayor welcomed visitors who were present in connection with items on the Agenda or as observers.

3. DVS made motion that minutes of previous meeting of 12-2-69 be approved as written. WOR seconded the motion and a unanimous affirmative vote was recorded.

4. RLF read caption of Ordinance for second reading amending Zoning Ordinance of the City of Lufkin, Texas by increasing the requirement of off-street parking to two off-street Parking Spaces per dwelling unit in "A" District. CL made motion that Ordinance be approved on second reading. BEA seconded the motion. ECW stated that although he voted for approval of this Ordinance on first reading, had since read the Zoning Ordinance covering off-street parking the "A" District and was now of the opinion that because of the manueverability requirement for off-street parking, two parking spaces was too great a requirement. After some further discussion, CL withdrew his motion and BEA withdrew his second to motion. BEA made motion that no action be taken on second reading of the Ordinance until next meeting. CL seconded the motion and following vote was recorded:

Voting Aye	EN BEA ECW WOR CL
Voting Nay	DVS

   Mayor declared motion carried by majority vote.

5. The proposed contract with Henningson, Durham & Richardson, Inc., with City of Lufkin on future water supply study in amount of $10,000.00 was discussed in detail. RLF stated same was in order from a legal standpoint. After considerable discussion on the City's Water system operation, including future water supply, existing supply facilities and storage, CL made motion that Mayor be authorized to execute this contract with Henningson, Durham & Richardson, Inc., on part of City of Lufkin. WOR seconded the motion and a unanimous affirmative vote was recorded. Mr. Robert E. Hogan of Henningson, Durham & Richardson, Inc., was present and stated that Work Order for study only should be approved under terms of the Agreement to not exceed $10,000.00 and that this study is to be completed by July 1st, 1970, with the provision that study of specific items pertaining to any water supply improvements to be constructed prior to the summer of 1970 be completed within the first two months of study period. DVS made motion that Mayor be authorized to execute Work Order as prepared by Mr. Hogan of

Henningson, Durham & Richardson, Inc. ECW seconded the motion and a unanimous affirmative vote was recorded.

6. HW stated that Mr. William D. Cook, applicant for the position of Municipal Judge, had passed the State Bar and was now eligible to practice law and recommended that he be appointed to fill the vacancy of Municipal Judge for the City of Lufkin. WOR made motion that William D. Cook be appointed as Municipal Judge as recommended by HW. BEA seconded the motion and a unanimous affirmative vote was recorded. Mr. Cook, who was present, was then administered the Oath of Office by Mayor.

7. RLF read Ordinance for first reading changing zone from R-2 District to C District covering Lots 7 and 8 and 4' of Lot No. 1, Block 1, Vinson Addition to City of Lufkin, application by Dr. J. H. Wade, Jr., and which was recommended by City Planning and Zoning Commission. EN inquired if any persons present to object to change and there were none. WOR made motion that Ordinance be approved on first reading. Motion seconded by CL and a unanimous affirmative vote was recorded.

8. RLF read Ordinance for first reading changing zone from R-2 District to C District covering Lot 9, Block No. 2 and a portion of abandoned alley adjoining Lot 9, Vinson Addition to City of Lufkin, application by H. L. H. Enterprises, and which was recommended by City Planning and Zoning Commission. EN inquired if any persons present to object to change and there were none. WOR made motion that Ordinance be approved on first reading. Motion seconded by CL and a unanimous affirmative vote was recorded.

9. RLF stated that under Agreement with State Highway Commission, the City of Lufkin was responsible for furnishing pumping facilities for the Underpass on Frank Street, and since the State Highway Department was responsible for all other maintenance of this project, believed would be for the best interests of City and State if all maintenance was under one agency. Therefore, recommended that this responsibility for maintenance of this pumping equipment be given to State Highway Department, with City of Lufkin being responsible for furnishing electric power to operate the equipment. RLF stated he had Resolution authorizing this responsibility and recommended approval by City Commission. WOR made motion that Resolution be approved by City Commission. CL seconded the motion and a unanimous affirmative vote was recorded.

10. RLF requested authority to advertise amendment to Zoning Ordinance to include "M" District as recommended by City Planning and Zoning Commission for first reading of Ordinance on January 6, 1970. ECW made motion that authority to advertise amendment to Zoning Ordinance as requested by RLF be granted. DVS seconded the motion and a unanimous affirmative vote was recorded.

11. RLF stated have about completed proposed contract covering waste into City's sewer system by industrial plants and recommended that ordinance be prepared and authority granted to advertise same for first reading on January 6, 1970, amending Section 2 of present Ordinance regulating the discharge of waste from industrial plants by changing the requirement of 300 PPM BOD to 80 pounds per day demand and addition of the word OR and changing the requirement of 250 PPM of suspended solids per day to 30 pounds per day. WOR made motion that authority to advertise this amended Ordinance for first reading on January 6, 1970, as requested by RLF be granted. ECW seconded the motion and a unanimous affirmative vote was recorded.

12. RLF stated was awaiting word from officials of Lufkin Telephone Exchange for a meeting date with their Attorneys on proposed request for rate increase.

13. RLF stated had checked on City Limit lines of Hudson and previous actions taken by City of Lufkin. Stated was in the process of working out details with Hudson's Attorney, William D. Perkins, and hoped to work out an equitable solution.

14. HW requested authority to purchase two arctic foxes for Ellen Trout Zoo which were arranged for several months ago, for $50.00 each, since new policy was now in effect requiring City Commission approval. DVS made motion that authority be granted to purchase these two arctic foxes at $50.00 each. ECW seconded the motion and a unanimous affirmative vote was recorded.

15. HW requested authority to begin work on relocation of water mains on proposed Loop No. 287 near Ellen Trout Zoo, the expense of which will be reimbursed by Angelina County. DVS made motion that authority be granted for relocation of these water mains. WOR seconded the motion and a unanimous affirmative vote was recorded.

16. HW requested authority to increase city's contribution to Firemen's Pension Fund from 3 to 5% if actuarial study now in process of being made warrants this increase. Stated would amount to an increase of some $6,000.00 annually in City's contributions. DVS made motion that approval be given to this increase provided it does not amount to more than the maximum now being contributed for other employees by City and subject to determination that Fire Department employees cannot come under Social Security. ECW seconded the motion and a unanimous affirmative vote was recorded.

17. HW exhibited drawing made by State Highway Department covering proposed underpass at Loop 287 and FM 58 and stated this project was set for hearing.

18. HW stated that work on repairing spillway at Ellen Trout Lake was now complete and requested authority to pay invoice in amount of $10,800.00 to Shull Construction Co., who performed the work. HW stated that Water Plant Supt. approved the work as a repair job and not a cure-all but recommended payment of the invoice. CL made motion HW be granted authority to pay the invoice in amount of $10,800.00. ECW seconded the motion and a unanimous affirmative vote was recorded.

19. WOR made motion that water level in Ellen Trout Lake be maintained at minimum level to allow drying out of dam and that HW give a status report of the dam at 2nd meeting in May, 1970. ECW seconded the motion and following vote was recorded:

Voting Aye	CL BEA ECW WOR
Voting Nay	EN DVS

Mayor declared motion carried by majority vote.

20. Tom Wolf of First Southwest Company, Dallas, Texas, financial advisor to the City on proposed Sewer Improvement program was present and spoke in considerable detail on the City's present financial situation. He stated the bond market was not in very good condition but was hoping the situation would be improved by Spring. He stated from figures reflected in present audit, the City could possibly finance $2,225,000.00 in revenue bonds and the sewer improvement program was estimated to be $2,800,000.00. He stated the City needed an additional $85,000.00 to $95,000.00 revenue annually to handle the proposed sale of revenue bonds to finance the proposed sewer improvement program. Some discussion was had on improving present bond rating of City of Lufkin. A work session will be scheduled after first of year with Mr. Wolf to decide exactly what steps must be taken by City to finance the Sewer Improvement program.

21. Messrs. Robert W. Keller and Charles W. Syphert of The Lincoln National Life Insurance Company, Dallas, Texas, were present at invitation of City. This Company was recently awarded City's Group Hospitalization & Life Insurance plan per bids requested and tabulated by City. DVS stated he personally desired to hear these gentlemen regarding their Company status as to stock or mutual. Mr. Keller stated The Lincoln National Life Insurance Co. was a Stock Company but that refunds were made on group plans when warranted. He also stated that Agent, Mike Milliff, who wrote the City's plan and brokered it through them, was being paid a fee even though he may or may not still be in the insurance business, and that it was immaterial with his Company whether this man remained Agent-in-Fact. If City desired not to retain him, a saving of

approximately $500.00 per year would be effected. HW recommended that Mr. Milliff be removed from the position of Agent-In-Fact in order that City might experience this saving. DVS made motion that HW's recommendation be followed. BEA seconded motion and a unanimous affirmative vote was recorded.

22. John W. Duke, CLU, local life insurance man was present and requested that he be appointed Agent of Record inasmuch as he assists City employees on insurance matters, even though he would not be eligible for renewals on the Group Plan of the City. DVS made motion that Mr. Duke be appointed Agent-Of-Record for the City. ECW seconded the motion and following vote was recorded:

Voting Aye	EN DVS ECW WOR BEA
Voting Nay	CL

CL stated his reason for voting no was that he thought this designation should be open for applications from all local Life Insurance Agents.

Mayor declared motion carried by majority vote.

23. HW called attention to activities of City-County Health Unit and the duties of their Sanitarian, Mr. Gerald V. Anderson. He stated that the City had certain Ordinance covering health inspections, etc., which have been handled in the past by City Health Inspector, Paul C. McWilliams and there was a possibility of duplication of duties unless a definite schedule was made of assignments for Messrs. Anderson and McWilliams. Decision was made that Mayor, City Manager, Mr. Anderson, Mr. McWilliams and Dr. Read should meet to determine who will make definite inspections and prevent duplication.

24. Discussion was had on City's application with Texas Water Quality Board for grant to cover portion of cost of proposed sewer improvement program and an additional increase of $118,000.00 if member of Deep East Texas Development Council. HW will follow through and determine data on the above; however, BEA stated it was his understanding City did not have to be member to get application for grant approved.

25. CL called attention to expenditure for man hurt on job in amount of $279.36, as shown in list of paid bills during November. HW stated this man was paid his full time wages while off duty due to accident which is the City's policy. DVS also called attention to expenditure of $139.96 covering suits for Detectives. HW stated this was an allowance approved in the budget.

26. ECW called attention to traffic hazard at Third and Lufkin Avenue wherein the old white center line was still visible in left turn lane and should be corrected. HW will handle.

27. There being no further business for consideration, meeting was adjourned at 11:30 PM.

Earl Nisbet
Mayor - City of Lufkin, Texas

ATTEST:

Lynn Graham
City Secretary - City of Lufkin, Texas