

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 5th DAY OF SEPTEMBER, 1967, AT 7:30 PM

On the 5th day of September, 1967, 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
Byron McNeil	Commissioner, Ward No. 3
Edgar C. Wareing	Commissioner, Ward No. 4
Gene H. Nerren	Commissioner at Large, Place A
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
William E. Wolff	City Manager
Lynn Durham	City Secretary
David Walker	City Attorney

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

1. Meeting opened with prayer by Rev. Henry Benchoff, Pastor of the First Presbyterian Church, Lufkin, Texas. Mayor thanked Rev. Benchoff for his participation in the meeting and invited him to remain for the entire meeting or to feel free to leave when he so desired.
2. Mayor welcomed a number of visitors who were present as observers or in connection with items on the Agenda.
3. BMCN made motion that minutes of regular meeting of August 15, 1967 and special meeting of September 22, 1967, be approved as written by City Secretary. BEA seconded the motion and a unanimous affirmative vote was recorded.
4. Mr. E. L. Bartlett, Jr., representing Bartlett, Baggett and Shands, General Insurance Agency, appeared before the City Commission to explain report of insurance coverage on buildings and contents for the City of Lufkin. Mr. Bartlett presented two cost estimates on value of buildings and contents on a three year premium basis in the amount of \$5,588.61 and \$6,134.00. Mr. Bartlett went into detail to explain this proposed coverage and stated it was the decision of the City Commission to determine exactly the coverage desired.

The City Commission questioned Mr. Bartlett on several of the items, especially the coverage covering the zoo, which they thought was too high in comparison with other buildings and equipment covered and it was the recommendation of GHN that coverage on the Zoo be reduced to approximately 50%. DVS made motion that the City Commission delay any action on this insurance program until next regular meeting. CL seconded the motion and a unanimous affirmative vote was recorded.

4. ^A Mr. Robert G. Day of Rowles, Winston & Co., Inc., Tyler, Texas, appeared before the City Commission and presented detailed report on water and sewer rate study covering the period of October 1, 1964 through September 30, 1965. He read the report in detail after which there was considerable discussion thereon. Mr. Day recommended in his report that water rates be set on residential customers as follows:

SUGGESTED RATE #1 RESIDENTIAL

	<u>INSIDE</u>	<u>OUTSIDE</u>
First 2,000 Gallons (Minimum)	\$ 2.25	\$ 3.38
Next 8,000 Gallons (Per Thousand Gals.)	.60	.90
Next 10,000 Gallons (Per Thousand Gals.)	.55	.82½
Next 30,000 Gallons (Per Thousand Gals.)	.50	.75½
Next 50,000 Gallons (Per Thousand Gals.)	.45	.67½
Next 100,000 Gallons (Per Thousand Gals.)	.40	.60
Next 300,000 Gallons (Per Thousand Gals.)	.35	.52½

All customers using over 500,000 gallons per month to be classified as industrial customers and charged according to Industrial Rate.

Mr. Day recommended that water rates for industrial customers be as follows:

SUGGESTED INDUSTRIAL RATES

To be charged to all customers using over 500,000 gallons per month. Where customer has Fire Sprinkler System, a standby or demand charge of \$10.00 per month will be made.

	<u>W/Fire Sprinkler</u>	<u>W/O Fire Sprinkler</u>
Minimum (500,000 Gals. Allowed)	\$185.00	\$175.00
Next 500,000 Gals. (Per Thousand Gals.)	.25	.25
Next 1,000,000 Gals. (Per Thousand Gals.)	.24	.24
Next 1,000,000 Gals. (Per Thousand Gals.)	.23	.23
Next 1,000,000 Gals. (Per Thousand Gals.)	.22	.22
Next 1,000,000 Gals. (Per Thousand Gals.)	.21	.21
All over 5,000,000 Gals. (Per Thousand Gals.)	.20	.20

He estimated this proposed new rate in water service would amount to approximately \$87,000.00 per year.

He recommended that sewer rates be based on water consumption covering residential and industrial cost as follows:

PROPOSED SEWER RATE

(Based on Water Consumption)

	<u>Residential</u>	<u>Industrial and Commercial</u>
Minimum - per month (5,000 gallons water allowed in minimum)	\$ 2.25	\$ 5.00
<u>Water Use (1,000 Gallons)</u>		
6 to 10 (Per 1,000 Gallons)	.25	.25
11 to 20 (Per 1,000 Gallons)	.20	.20
21 to 50 (Per 1,000 Gallons)	.15	.15
51 to 100 (Per 1,000 Gallons)	.10	.10
101 to 200 (Per 1,000 Gallons)	.08	.08
201 to 500 (Per 1,000 Gallons)	.06	.06
501 to 2,000 (Per 1,000 Gallons)	.05	.05
Over 2,000 gallons (Per 1,000 Gallons)	.04	.04

He estimated increase in sewer rates would produce approximately \$142,000.00 per year additional income and recommended that this change in sewer rates be adopted.

This proposed water and sewer rate study was discussed in lengthy detail by the City Commission and CL made motion that City Attorney be instructed to prepare Ordinance adopting the water rates proposed by Mr. Day on the condition that summer water rates for residential customers would be reinstated on the same basis as in the past and that sewer rates proposed by Mr. Day be adopted with the exception that residential customers sewer rate would be on a flat rate of \$2.25 per month. BEA seconded the motion. Before vote was taken the question of going back to summer rates for residential customers was given considerable discussion and GHN made motion that the above motion of CL be amended to strike out that portion to reinstate summer rates. ECW seconded the motion. The following vote on the amendment to CL's motion was as follows:

Voting Aye: EN, DVS, BMcN, ECW and GHN.

Voting Nay: CL and BEA.

Mayor declared motion carried by majority vote.

Voting on CL's motion amended above as follows:

Voting Aye: EN, BMcN, ECW, GHN and BEA.

Voting Nay: CL and DVS.

Mayor declared motion as amended carried by majority vote and DW was instructed to prepare Ordinance in accordance therewith.

5. Mayor requested City Attorney to read Resolution that had been prepared at the request of Dr. C. A. Allen of the Angelina Citizens Chamber of Commerce covering a sponsored rent supplement project (Pinewood Park) to be financed under the Federal Housing Administration. This Resolution named the present Mayor and his successors and present Commissioner Ward No. 4 and his successors as members of the Mortgager Entity for said project.

Mayor stated this Resolution did not obligate the City in any way other than to sanction the project and recommended the Resolution be approved. DVS made motion that City Commission pass the Resolution as read. Motion seconded by BMcN and a unanimous affirmative vote was recorded.

6. Mr. H. J. Shands, Jr. appeared before the City Commission to advise that the First Bank and Trust was ready to proceed with work of paving Townsend Street between First Street and Second Street, this being the site of their proposed new bank building. Mr. Shands presented easements covering additional area for Townsend Street as was instructed previously by the City Planning and Zoning Commission and the City Commission. Mr. Shands stated they were interested in getting started on this project and desired as much assistance as possible from the City. He was advised that the City would pay 1/3 of the paving cost and Mr. Shands was instructed to get with City Manager to work out details on cost for such paving and submit Cashier Check to cover the Bank's 2/3 portion of such cost.
7. Mr. C. G. Armet appeared before the City Commission to request assistance in getting Oleta Street paved from Atkinson Drive to Broussard. He stated this matter had been before the City Commission on two previous meetings but no action had been taken on the matter as yet.

WEW brought the subject of street paving by assessment to a discussion which he thought to be the only way the City could get started on a permanent paving program. ECW made motion that City Manager and City Engineer be instructed to institute necessary action for the City of Lufkin to install a paving assessment plan. BEA seconded the motion and a unanimous affirmative vote was recorded.

8. DW read caption of ordinance for second reading authorizing City Manager to expend up to \$2,000.00 for budgeted items as set out in Charter. BEA made motion that ordinance be passed on second reading. Motion seconded by ECW and a unanimous affirmative vote was recorded.
9. DW read caption of ordinance for second reading giving the City jurisdiction over territory within a one mile radius of the City Limits. BMCN made motion that ordinance be passed on second reading. BEA seconded the motion and a unanimous affirmative vote was recorded.
10. WEW presented Estimate No. 1 from Temple Associates, Inc. covering work completed on City Hall and Police Station building in the amount of \$7,400.65 and recommended same be authorized for payment. CL made motion that above estimate be paid. Motion seconded by BEA and a unanimous affirmative vote was recorded.
11. WEW presented invoice from Bernard Johnson Engineers, Inc. in the amount of \$152.21 covering engineering fees on the Ellis Street Improvement. No action was taken and WEW was instructed to hold up and have representative of Bernard Johnson Engineers, Inc. present to elaborate on the work done at this intersection.
12. WEW presented invoice from Southern Pacific Railroad Co. covering additional amount due on the cost of installing traffic signal light at Burke and Angelina in the amount of \$1,246.40. WEW stated that the City had previously paid \$3,041.43 approximately one year ago on cost of this signal light but had signed an agreement to pay up to \$4,480.00 on the cost of this traffic signal light. WEW stated although this invoice in the amount of \$1,246.40 was received approximately one year after the first invoice was paid, was recommending that same be paid in accordance with our signed agreement with the Southern Pacific Railroad Co. GHN made motion that the invoice be paid. ECW seconded the motion and the following vote was recorded.

Voting Aye: EN, BMCN, ECW and GHN.

Voting Nay: CL and BEA.

DVS abstained from voting due to conflicting interest.
Mayor declared motion carried by majority vote.

13. WEW requested that he be reimbursed for expenses incurred during recent trip to Austin that the Mayor, City Attorney and himself made in the amount of \$13.00. CL made motion that WEW be reimbursed for this expense. Motion seconded by BEA and a unanimous affirmative vote was recorded.
14. WEW presented Estimate No. 3 from Pit Construction Co. in the amount of \$35,901.00 covering work to date on Angelina Street Improvements and recommended same be authorized for payment after having been checked and approved by City Engineer and verbally approved by Bernard Johnson Engineers, Inc.

CL made motion that this Estimate No. 3 from Pit Construction Co. be authorized for payment. GHN seconded the motion and a unanimous affirmative vote was recorded.

15. City Manager read letter from Tommy Finley requesting permission from the City Commission to set up Shetland Pony rides at Ellen Trout Lake Park on weekends wherein he agreed to pay the City of Lufkin 15% of gross receipts. City Commission, without motion, desired that no action would be taken on this or similar request at this time.
16. ~~WEW requested approval~~ of his proposed change in water and sewer tapping policy recently presented to the City Commission as follows:

1. City Water & Sewer Department would make water and sewer connections to the main line within the City street and extend such lines to the nearest property line of the property desiring service.
2. The charge for a 4" sewer service (outside of new subdivisions) - \$50.00.
3. The charge for a 3/4" water connection (outside of new subdivisions) - \$85.00.
4. The above charge will entitle property owner up to 50 feet of line.
5. In new subdivisions, where the developer installs both water and sewer lines to all lots within the subdivision and thereby relieving the Water & Sewer Department of any line construction, the following charges are recommended.

Sewer connection \$10.00 inspection fee

3/4" water service \$40.00

GHN made motion that DW be instructed to prepare Ordinance incorporating recommendations of WEW to amend the present Water and Sewer tapping policy. Motion seconded by DVS and a unanimous affirmative vote was recorded.

17. WEW stated had contacted representative of Provident Life and Accident Insurance Company who carries our group life and hospitalization insurance plan to determine additional cost to insure our employees on 24 hour basis and the cost would be \$1.00 to \$1.50 per employee per month and amounting to an increase of \$2,880.00 per year for the City.

After some discussion it was the decision of the City Commission that WEW be instructed to work up specifications on a new group life and hospitalization insurance plan to be submitted to local agents of companies writing this type of insurance coverage and that WEW discuss with BEA on type of insurance desired for our employees.

18. WEW ask permission of the City Commission to advertise for bids from local consignees of petroleum products covering our gasoline and oil requirements for the next fiscal year beginning October 1, 1967. Without motion, the City Commission authorized WEW to handle accordingly.

19. WEW stated that he and DW were planning to attend meeting in Austin on Saturday, September 9, 1967, with other Texas City Officials, sponsored by the Texas Municipal League, to discuss the mechanics of the City Sales Tax and desired to know if any members of the City Commission would also like to attend this meeting. EN, CL and DVS stated that they would also attend the meeting.
20. DVS read letter received from Dr. J. C. McGuire, M.D., Director for Angelina County and Cities Health District, commenting on an inspection made of City property at Ellen Trout Lake Park. This letter is quoted below.

"As per your request, my sanitarian, Mr. Jumper, and I conducted a sanitary survey of the Ellen Trout Lake. We inspected the shoreline by motorboat and secured (2) water samples from the lake that showed contamination in that coliform bacteria were present.

There was also some garbage floating on the water at the north end of the lake as evidenced by melon rinds and corn shucks being noted.

The water shed was examined by car and on foot. It was noted that (2) houses owned by the City of Lufkin on the northwest shore of the lake has no septic tank and raw sewage from both houses empty from a tile line on the surface of the ground to the right of the road approaching the 1st house. This area has a very offensive odor and is less than 100 yards from the shoreline of the lake.

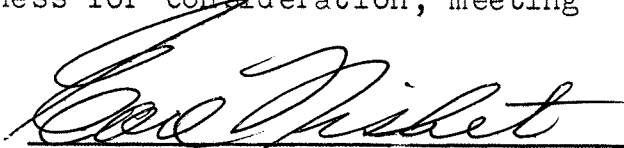
There are (2) vacant houses on the southeast shore of the lake that have outside toilets but the houses are vacant. The southside of the lake is fairly well protected from surface contamination by the railroad.

Turning off of Kurth Drive onto Country Club Road it was noted that after crossing the railroad a large concrete culvert passed under the highway. A fairly large flowing stream passed through this culvert. The water was a dark brownish color with considerable foam on the surface. The stream was flowing in the direction of the lake which is approximately one-half mile through the woods from this point. It is believed that this stream enters the lake on the southwest prong. It was presumed that the source of this water was principally from the Plywood Plant at Keltys. Further investigation revealed this to be true in (2) streams of waste water (one containing a lavender color) leaves the Plywood Plant and joins in the ditch east of Highway 69 after which it passes through a culvert and then on towards the Country Club Road.

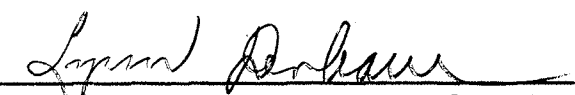
Because of the above and the extra hazards of stumps, tree tops, and limbs in the south end, it is recommended that only boating activity be conducted on Ellen Trout Lake."

WEW stated that the points brought out in the letter regarding the City's houses have been investigated and corrected. The houses do have a septic tank and additional pipe has been added to the drainfield.

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


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas