

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON 19th DAY OF JAN., 1965, AT 7:30 P.M.

On the 19th day of January, 1965, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the regular meeting place of said City, with following members thereof, to-wit:

Jim Waters	Mayor
Jack W. Tucker	Commissioner, Ward No. 1
Dayle V. Smith	Commissioner, Ward No. 2
S. Harry Kerr	Commissioner, Ward No. 3
H. E. Rowin	Commissioner, Ward No. 4
Granville Wright	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. A. M. Freeze, Pastor of Glad Tidings Assembly of God Church, Lufkin. Rev. Freeze was thanked by Mayor Waters for his participation and was invited to remain for entire meeting or to feel free to leave when he so desired.
2. Minutes of previous meeting were read and approved.
3. Mayor opened and City Manager read bids on Street Sweeper as previously advertised for by the City of Lufkin:

Berry Bros. Machinery Co., Dallas, Texas

1 - New Elgin White Wing, Model 375	
FOB Lufkin .....	9,800.00
If Comfort Window desired .....	65.00
If Defroster desired .....	25.00
	<u>9,890.00</u>

Alternate

1 - New Elgin Pelican FOB Lufkin .....	11,250.00
If extra equipment desired .....	375.00
	<u>11,625.00</u>

Browning-Ferris Machinery Co., Houston, Texas

1 - Wayne Model 970, 3 cu. yd. Cap. Single	
Gutter Broom Street Sweeper, FOB Lufkin .....	8,177.00
If Dan Line Pickup Broom desired .....	300.00
	<u>8,477.00</u>

Martin Equipment Co., Dallas, Texas

1 - Mobil Sweeper, Model 1,000-3 .....	10,395.00
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City Manager requested authority to check bids with City Engineer as to specifications, etc., and make recommendations later.

Commissioner H. E. Rowin made motion that this authorization be granted. Motion seconded by Commissioner S. Harry Kerr and a unanimous affirmative vote was recorded.

4. City Manager requested City Engineer, who was present, to give information he had received from local concerns on the sign to be installed on front of City Hall.

After some discussion, City Commission instructed that a study be made of type sign desired and then get actual prices thereon.

5. Curtis W. Fenley, Jr., attorney, appeared before the City Commission to request consideration of authorizing Building Inspector to issue building permit to a client on Holland Street.

Mr. Fenley stated this was an old addition and was in R-3 designation and there were now over 20 houses built with only four lots left for future construction and these four lots do not meet the minimum footage requirements of R-3 zoning designation. Mr. Fenley further stated that Holland Street was dedicated some time ago but the deeds were found to be incorrect. However, he could and would secure corrected deeds.

City Commission discussed the matter in detail and Commissioner S. Harry Kerr made motion that Mayor be authorized to accept corrected deeds on street dedication after which Building Inspector is to be authorized to issue building permits on additional houses to be constructed in this addition. Motion seconded by Commissioner Dayle V. Smith and a unanimous affirmative vote was recorded.

6. City Attorney read caption of ordinance to be considered on second reading covering zone change from R-3 to A designation by Mrs. Mary O. Hudgens on property located on the south side of Laurel between Everett and North Timberland Drive, described in application by field notes. Mayor inquired if anyone present desired to object to the change and there were no objections.

Commissioner H. E. Rowin made motion that ordinance be passed on second reading. Motion seconded by Commissioner S. Harry Kerr and a unanimous affirmative vote was recorded.

7. City Attorney read caption of ordinance to be considered on second reading changing zone from R-1 to C. District by Dr. Basil Atkinson, Jr., and Chester Anding, Jr., covering tract of land located on west side of Loop No. 287 and north of State Highway No. 94, described in application by field notes. Mayor inquired if anyone present desired to object to the change and there were no objections.

Commissioner S. Harry Kerr made motion that ordinance be passed on second reading. Motion seconded by Commissioner Dayle V. Smith and a unanimous affirmative vote was recorded.

8. No action was taken on second reading of ordinance covering trailer houses in order that a further study might be given same by City Commission members. This ordinance is scheduled for second reading in regular meeting of February 16, 1965.

9. City Manager advised that he had been in telephone conversation with a member of the Angelina County Foster Home with regard to payment of \$3,000.00 to this organization which is included in our budget. City Manager desired to be instructed as to mode of payment; that is, whether in lump sum or installments.

Commissioner Dayle V. Smith made motion that City Manager be authorized to make this payment in lump sum. Motion seconded by Commissioner Jack W. Tucker and a unanimous affirmative vote recorded.

10. City Manager reported on manner in which the new school crossing patrolmen are performing their duties and stated that he and Chief of Police were instructing them in this regard.

11. City Manager reported on work being done on water well #3 that was recently put out of action. Inspection developed that motor was damaged and cable burned. Manager further stated that he was sure the cost of repairing would be well within the amount previously allotted for repairs.

12. City Manager reported on progress of paving.
13. Curtis W. Fenley, Jr., attorney, appeared before the City Commission along with Mr. J. A. Bryan of Bryan-Stewart, Inc., concerning proposed Englewood Terrace Addition.

(a) Mr. Fenley stated under proposed plans approximately 7,000 to 8,000 lineal feet of 8" sewer line is to be installed which is more than is required for the service of the addition and that this additional line was requested by the City in order to serve areas outside the addition with sewer.

Mr. Fenley desired to know how much the City would participate toward the payment and installation of these lines.

(b) Mr. Fenley stated that Jones Street, which traverses this entire addition, has been in existence for many years and on this Street there is a bridge over a creek and would like to know if the City desires work be done on this bridge.

If so, does the City desire to let its own contract or have it included in same contract that will be let for Bryan-Stewart, Inc., for paving. And what procedure the City intends to use for paying for work on the bridge.

(c) Mr. Fenley stated that this Addition adjoins Harbuck Street on the north side and Bryan-Stewart, Inc., desires to pave this street and would like for the City to provide for paving of its share and also desires City to negotiate with property owners for cost of paving their portion of street.

(d) Mr. Fenley stated the City's share of paving that will be done in the addition will amount to 32,000 square feet and desired to know if City intended to let a separate contract for their portion or include it in contract that will be let for Bryan-Stewart, Inc., and also what method City will use in paying its share of paving cost.

(e) Mr. Fenley stated the City's share of curbing and guttering in the Addition will be from 29,000 to 30,000 lineal feet and desired to know if the City intended to let a separate contract or to join in the contract of Bryan-Stewart, Inc., and, if so, method City plans to handle the payment of its share.

These items were discussed in some length and Commissioner Jack W. Tucker made motion that City Commission members be furnished copy of Bryan-Stewart, Inc., letter setting out the above items and also that members be furnished in writing recommendations of the City Manager after he has checked with City Attorney and City Engineer as to the action the City Commission should take. Commissioner Dayle V. Smith seconded the motion and a unanimous affirmative vote was recorded.

14. Open items were gone over and deletions made where items completed. One of these items was the appointment of a 5 member Board of Adjustment. Mayor recommended the appointment of the following citizens to serve as members on this Board of Adjustment:

David Anderson  
John D. Smith  
Dr. B. H. McVicker  
Howard Noland  
Mrs. W. A. Mitchell

These members to be appointed to one and two year terms, depending upon numbers drawn. Commissioner H. E. Rowin made motion that Mayor's recommendation of appointing these citizens as members of the Board of Adjustment be approved by the City Commission. Motion seconded by Commissioner Dayle V. Smith and a unanimous affirmative vote recorded.

15. City Attorney requested information as to what type ordinance is desired covering volunteer firements since he was not acquainted with previous instructions to have ordinance prepared.

City Attorney was given the desired information and will handle accordingly.

16. Commissioner Dayle V. Smith made motion that invoices for the month be authorized for payment. Commissioner Jack W. Tucker seconded the motion and a unanimous affirmative vote was recorded.

17. Curtis W. Fenley, Jr., appeared before the City Commission to request City Commission to authorize Building Inspector to issue building permits to Hoople Jordan to complete construction work on Nursing Home on Moody Street in-as-much as District Judge did not grant the City an injunction to prevent reopening of this Nursing Home.

Mr. Fenley stated he had a verbal agreement with Mr. Wm. D. Perkins, former City Attorney who handled this case in court on behalf of the City, that recommendations would be made that Building Inspector be authorized to issue building permits and that Mr. Jordan would understand that in issuing these permits, the City was not waiving its rights under the zoning ordinance with regard to regulating use of this property or the operating of a rest home with the City of Lufkin or any rights the City might have in pending or future litigation concerning this property.

City Manager read letter from Mr. William D. Perkins, copy of which had been furnished City Commission members, wherein he recommended that no action be taken by the City and that it be left up to Mr. Jordan to take any legal action to force issuance of the building permits.

Commissioner Dayle V. Smith made motion that City Commission concur with recommendations of Mr. Perkins as contained in his letter. Considerable discussion developed and no second was given to Commissioner Dayle V. Smith's motion and same was withdrawn.

Commissioner S. Harry Kerr than made motion that action on this matter be tabled in order that further study might be given the matter on the ground and recommendations made at a later meeting. Commissioner Dayle V. Smith seconded the motion and a unanimous affirmative vote was recorded.

18. Commissioner S. Harry Kerr mentioned letters received from City Secretary giving recommendations of City Planning and Zoning Board in their meeting of December 10th as follows:

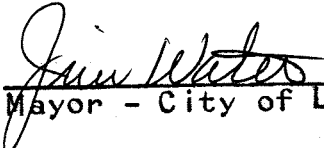
"That Comprehensive Development Plan prepared by the Comprehensive Planners be amended by the City Commission to show that the community development at the intersection of Copeland and Loop No. 287 be removed and relocated at the intersection of Pershing and Loop No. 287."

Commissioner S. Harry Kerr made motion that this recommendation be approved by City Commission. Commissioner H. E. Rowin seconded motion and a unanimous affirmative vote was recorded.

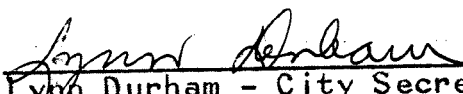
"That City Commission negotiate with the Lufkin Independent School District to purchase the right-of-way along railroad tract for extension of Angelina Street from the intersection of Denman, Raguet and Angelina to the intersection of Pershing, and Feagin and the widening and development of Angelina Street from Laurel Avenue to the intersection of Pershing and Feagin, and thence continue out Pershing to Loop No. 287."

Commissioner S. Harry Kerr made motion that this recommendation be approved by the City Commission. Commissioner Dayle V. Smith seconded the motion and a unanimous affirmative vote was recorded.

19. Commissioner Dayle V. Smith reported on Civil Defense meeting held this date in Nacogdoches that was attended by City Manager, City Secretary, City Attorney and himself/that valuable information was received in the meeting.  
and
20. Commissioner Jack W. Tucker inquired as to information City Manager might have developed on brush cutter. City Manager stated all information had not been developed and would report at a later meeting. Commissioner S. Harry Kerr stated he had some data to furnish City Manager.
21. Commissioner Jack W. Tucker inquired as to training and schooling new patrolmen are given after being hired. City Manager gave a report on this training.
22. Commissioner Jack W. Tucker requested that Mayor, City Commission members, City Manager, City Judge and City Attorney and Chief of Police schedule an informal meeting to discuss all angles of Police and Corporation Court activities.
23. Mayor called attention to meeting of Region 16, Texas Municipal League, scheduled to be held in the Harvest Club at Beaumont on January 21, 1965, beginning at 6:00 P.M. and urged all to attend.
24. There being no further business for consideration, meeting adjourned at 10:45 P.M.

  
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Mayor - City of Lufkin, Texas

ATTEST:

  
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Lynn Durham - City Secretary