

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3RD DAY OF MARCH, 1970, AT 7:30 P. M.

On the 3rd day of March, 1970, 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
Byron McNeil	Commissioner, Ward No. 2
Edgar C. Wareing	Commissioner, Ward No. 3
W. O. Ricks, Jr.	Commissioner, Ward No. 4
Harvey Westerholm	Commissioner at Large, Place A
Robert L. Flournoy	City Manager
Lynn Durham	City Attorney
	City Secretary

being present, and

Carl Liese	Commissioner, Ward No. 1
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B

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

1. Meeting opened with prayer by Rev. Robert W. Cook, Pastor of St. Paul's Methodist Church, and was thanked by Mayor for his participation.
2. Mayor welcomed a number of visitors who were present in connection with items on the agenda or as observers and particularly the following ladies from Lufkin Area Garden Clubs.

Mrs. Tom Melton	Mrs. Finis Gibbs
Mrs. Belvin Stewart	Mrs. Eldredge Ryman
Mrs. Austin Anderson	

3. BMcN made motion that minutes of regular meeting of February 17, special meeting of February 23, and special meeting of February 25, be approved as written. ECW seconded the motion and a unanimous affirmative vote was recorded.
4. The question of the City Commission authorizing the Housing Authority to function was discussed. RLF stated that it would be necessary for the City Commission to rescind motion passed in regular meeting of October 21, 1969, authorizing a referendum election on whether or not such Housing Authority shall function, before any action could be taken at this meeting authorizing this Housing Authority to function. BMcN made motion that motion authorizing the referendum election passed on October 21, 1969, be rescinded. ECW seconded the motion. Before vote was taken, WOR stated he still thought the citizens should have the privilege of voting on the referendum. The vote on the above motion was as follows:

Voting Aye:	EN, BMcN, ECW
-------------	---------------

Voting Nay:	WOR
-------------	-----

Mayor declared motion carried by majority vote. WOR stated this was not the case and cited a portion of Section 11, Article III, of the Charter which states in part "no action of the Commission shall be of any force or effect unless it is adopted by the favorable votes of four or more members of the Commission". RLF stated the Charter did provide that four affirmative votes were necessary and therefore the vote on this motion, even though it carried, had no force and effect. EN then stated that even though the motion carried by the majority of the members present, that it would not be official. At this point, BMcN made motion that the City Commission adjourn. No second was given to his motion, and he withdrew same.

5. BMcN made motion that ordinance be passed on second reading authorizing the inclusion of the Tax Department employees in the Texas Municipal Retirement System now covering other employees of the City with the exception of the Fire Department. WOR seconded the motion and a unanimous affirmative vote was recorded.

6. Mrs. Belvin Stewart, speaking for members of Lufkin Area Garden Clubs who were in attendance and introduced previously, requested that City Commission give favorable consideration to authorizing Summer Water Rates this year. Mrs. Stewart further stated that the Garden Clubs had stressed beautification of the City and desired cheaper water rate for the summer, which would allow more watering of yards and flowers. A brief discussion was had on this matter and HW stated that Mr. Dick Phelps and Mr. Bob Pierce of Henningson, Durham & Richardson, Inc., Consulting Engineers, were present to make a report on their study of the water situation for the City of Lufkin per contract, which might have a bearing on Summer Water Rates. The above ladies were invited to remain for the presentation of Messrs. Phelps and Pierce. However, EN assured the ladies that consideration would be given to their request. Mr. Bob Pierce then went into a lengthy discussion showing existing present water conditions and anticipated requirements from 1970 through 1990, showing costs of 5-year improvement plan of \$2,010,200. These capital improvements and costs are as follows:

A. Connect Existing 12" CIP to 24" Line	\$ 2,000
Altitude Valve	<u>2,600</u>
	4,600
B. 6500 LF 16" Pipe	\$133,000
1400 LF 8" Pipe	<u>13,400</u>
	146,400
C. 2500 LF 12" Pipe	\$ 33,000
D. 14,500 LF 12" Pipe	\$186,000
E. 8500 LF 16" Pipe	\$149,500
4500 LF 12" Pipe	58,500
1.0 MG Elevated Tank	<u>350,000</u>
	558,000
F. 3500 LF 24" Pipe	\$ 90,000
8000 LF 12" Pipe	101,000
1000 LF 8" Pipe	<u>9,000</u>
	200,000
G. 35,000 LF 8" Pipe	\$300,000
H. 2.0 MG Ground Storage with Pumps	\$250,000
5000 LF 12" Pipe	<u>70,000</u>
	320,000
TOTAL A THROUGH C	\$184,000
+ 15% Engineering & Contingencies	<u>27,600</u>
IMPROVEMENTS FOR 1970	\$211,600
TOTAL A THROUGH H	\$1,748,000
+ 15% Engineering & Contingencies	<u>262,200</u>
TOTAL 5 YEAR IMPROVEMENTS	\$2,010,200

No action was taken on the report, however, numerous inquiries were made by members of the City Commission with regard to implementation, etc. EN expressed appreciation to Messrs. Phelps and Pierce for their visit and presentation. HW stated would have information available at next meeting regarding the possibility of Summer Water Rates being put into effect this year.

7. RLF read ordinance covering zone change from R-3 District to LB District covering Lots 9 and 10, Block 2, Oakwood Addition to the City of Lufkin, located at the corner of Ross Avenue and Chestnut Street, application by Small Business Administration. After some discussion, BMcN made motion that ordinance be passed on first reading. Motion seconded by ECW. Before vote was taken, EN inquired if any persons present to object to the change and there were none. The following vote was unanimous in the affirmative.

8. RLF read caption of ordinance for first reading "fixing, determining, and regulating the rates to be charged by Lufkin Telephone Exchange within the corporate limits of the City of Lufkin, Texas; and requiring the "test" year for rate request be the same as the fiscal year of the Lufkin Telephone Exchange; and requiring the Lufkin Telephone Exchange to furnish certain records; and repealing all ordinances and parts of ordinances in conflicting herewith.", which was advertised in local newspaper for action by the City Commission at this meeting. WOR made motion that ordinance be passed on first reading. Motion seconded by ECW and a unanimous affirmative vote was recorded.
9. RLF stated that developers of Westwood Addition on Highway 94 desired to develop this addition to completion and that Hudson Water District could not extend their lines into this addition and Developer desired City Commission consider furnishing water to this addition. No action was taken by the City Commission other than ECW requested that map and other information regarding this Addition be brought to next regular Commission meeting.
10. HW requested authority to advertise for bids for City's insurance requirements covering Employer's General Liability and Vehicle Fleet Liability. WOR made motion that authority be granted HW to advertise for such bids. There was considerable discussion developed regarding this subject and on past practices by the City on General Insurance procurement and a number of agents from the local General Insurance Organization were present and requested City Commission continue present method of allowing one agency to handle this business for the entire organization of agents as in the past. WOR withdrew his motion and it was the decision of the City Commission that the present method be continued for another year and ECW made motion that the City Manager and City Attorney use their judgement as to the City's requirement of coverage on various types of vehicles. BMcN seconded the motion and a unanimous affirmative vote was recorded.
11. HW stated that State Highway Department had prepared an agreement between the City and the State Highway Department to participate in the TOPICS program. Mayor signed the agreement on the part of the City as authorized in last regular City Commission meeting.
12. HW requested City Commission to consider adoption of resolution waiving the City's right to submit property values for right-of-way acquisition and to make such property valuations at Loop 287 and FM 58 intersection and that deeds could be ready within a month. BMcN made motion that resolution be adopted as requested by HW. ECW seconded the motion and a unanimous affirmative vote was recorded.
13. HW stated that method of financing acquisition right-of-ways for Loop 287 and FM 58 intersection for street improvements on Roseneath and Reen would have to be made shortly. He estimated the total cost of such work as follows:

Right-of-way Acquisition	\$20,000
Roseneath and Street Improvements	<u>80,000</u>
TOTAL	100,000

HW stated would like to discuss with City's financial advisor before making a definite recommendation on such financing. BMcN made motion that HW be authorized to proceed with the financial arrangement for approval by the City Commission at later meeting. ECW seconded the motion and a unanimous affirmative vote was recorded.

14. HW stated that several months ago a copy of a new plumbing code was presented to each City Commission member and stated that our present code was out-moded since it was adopted in 1953 and consisted of the co-ordinating committee of the National Plumbing Code Report as put out by the United States Department of Commerce. WOR stated he had not completed study of the proposed new code as submitted to City Commission members and after studying this proposed code would like to discuss with the Building Inspector and Plumbing Inspector for any recommendations that might be made. City Commission concurred with WOR's thoughts.

15. HW stated that the Lufkin Council of Retarded Children would like to use the old City Hall building for three to six months and they to pay all bills for services such as electricity, water and gas. City Commission agreed that this request should be granted and WOR made motion accordingly. BMCN seconded the motion and a unanimous affirmative vote was recorded. In connection with the above item discussion was had on renting the old City Hall building to the City-County Health Unit for their use. HW will explore this matter with proper authorities.
16. HW stated for information only that the State Highway Department was planning to improve Highway 94 from Loop 287 to Neches River.
17. BMCN called attention to several items that had been brought to attention of City Commission in the past and on which no action had been taken.
  - (a) Traffic count at the intersection of Chestnut and Lufkin to determine whether a traffic light was necessary.
  - (b) A traffic hazard exists at the intersection of Laurel, North First Street and Abney Avenue which should be checked into.
  - (c) Elimination of head-in parking in downtown area and install parallel parking with all spaces being of the same size.
  - (d) Consider left-hand turns in downtown intersections if streets warrant same.
  - (e) What is status of correction of defects in Angelina Street.
  - (d) Re-open parking on Third Street from Lufkin Avenue South.

HW stated had written letter to contractor and turned item over to RLF who stated that contractor did not feel that it was his responsibility to correct defects as claimed by City in Angelina Street. RLF stated would follow through to completion.

18. EN called attention to condition on Jones Street where no bridge exists and made the following statement:

"I note by the news that another car has plunged into the creek where the bridge was removed on Jones Street. I note, too, that the barrier there had been removed and this leads me to believe that proper precautions were not taken in the first place.

I feel that the Jones Street Bridge should have been replaced a long time ago. This was an existing bridge on a public street in the City of Lufkin, a street that had been traveled by many people for years.

I call to your attention, Item 7, in the minutes of our Commission Meeting on July 16, 1968. This item reads as follows:

'The question of opening a bridge on Jones Street was considered and Lynn Durham read excerpts from previous minutes covering construction of this bridge. After considerable discussion and no action being taken, W. E. Wolff suggested that cost figures be worked up on a low water bridge on this street. Dayle V. Smith made motion that no action be taken on the construction of a bridge on Jones Street until cost figures on a low water bridge could be given by W. E. Wolff. B. E. Atkinson seconded the motion.'

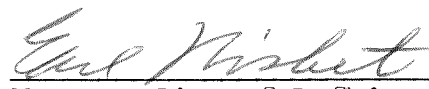
I was the only one who voted against delaying action on this project and the minutes reflect my statement at that time. I stated that my reason for voting "no" on the motion was because I thought the bridge should be constructed immediately.

I still feel the same way, and do here and now urge the Commission to take steps toward erecting a bridge on Jones Street."

19. There being no further business for consideration, meeting was adjourned at 10:30 P.M.

ATTEST:

  
City Secretary - City of Lufkin, Texas

  
Mayor - City of Lufkin, Texas