MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3rd DAY OF JANUARY, 1967, AT 7:30 P.M.

On the 3rd day of January, 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:

Jim Waters	Mayor
Dayle V. Smith	Commissioner, Ward No. 2
Byron McNeil	Commissioner, Ward No. 3
Earl Nisbet	Commissioner, Ward No. 4
Gene H. Nerren	Commissioner at Large, Place A
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
Reagan Parker	City Manager
Lynn Durham	City Secretary
David Walker	City Attorney

being present, and

William F. Prince	Commissioner, Ward No. 1

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

1. Meeting opened with prayer by Rev. Sidney Spain, Pastor of First Christian Church, Lufkin, who was thanked for his participation and invited to remain for the entire meeting or to feel free to leave when he so desired.

2. Commissioner Byron McNeil made motion that minutes of previous meeting be approved as written. Commissioner Basil E. Atkinson, Jr., M.D., seconded the motion and a unanimous affirmative vote was recorded.

3. Mayor Waters opened and City Manager read following bids on Station Wagon for use as an ambulance:

   Tipton-Billingsley:

   1967 Ford Ranch Wagon 3,033.35
   (45 day delivery date)

   Gibbs Motors:

   1967 Fury I Plymouth Wagon 3,304.21
   (30 day delivery date)

   Angelina Chevrolet-Cadillac:

   1967 Chevrolet Station Wagon 3,482.09
   (no delivery date given)

   Angelina Truck and Tractor:

   1967 International 1000B Travelall 2,931.45
   (approximately 60 day delivery date)

   After some discussion, City Manager recommended that order be placed with Tipton-Billingsley for the Ford Ranch Wagon since it has a lower delivery date than Angelina Truck and Tractor, the low bidder, and comes equipped with jump seat and two-way opening rear door.

   Commissioner Gene H. Nerren made motion that City Manager's recommendation be followed in purchasing the Ford Ranch Wagon. Commissioner Earl Nisbet seconded the motion and a unanimous affirmative vote was recorded.

4. Mr. Ray Terrell of Bernard Johnson Engineers, Inc., Houston, City's Consulting Engineers, was present and submitted sewer easements covering two crossings Southern Pacific Railroad Company at $25.00 per crossing which needed City Commission approval

Commissioner Byron McNeil made motion that easements be approved and that Mayor be authorized to sign easements on the part of the City and that City Manager be authorized to pay the $50.00 expense. Commissioner Earl Nisbet seconded the motion and a unanimous affirmative vote was recorded.

5. A detailed discussion was had on proposals for securing additional revenue for the City. City Attorned presented copy of an ordinance prepared covering proposed increase in water and sewer rates.

City Attorney stated the water rate increase of 10¢ per thousand gallons would start after the 3,000 gallon minimum and that sewer rates would be increased from 1.00 to 2.00.

City Manager stated that after reviewing estimates on these proposed increases, it was found that the increase in revenue would be approximately $168,000.00

Commissioner Earl Nisbet stated that he thought the City should show the people some tangible results on proposals voted approximately two years ago on street improvements, underpass, etc., under bond issues and thought before any increase in revenue was voted that efforts should be made on getting these capital improvements underway.

Commissioner Byron McNeil stated that he agreed with Commissioner Earl Nisbet on getting started on such improvements but stated that action should be taken on additional revenue because we were faced with a deficit at the end of the budget year.

W. O. Ricks, a visitor, suggested that consideration be given to sewer charge being based on the amount of total water used. He was advised that this matter had been given consideration and Commissioner Basil E, Atkinson, Jr., M.D., stated, in particular, that this would not be entirely fair to the large users since all the water they used was not returned to the sewer line.

Commissioner Dayle V. Smith stated he was concerned with the City's financial situation but called attention to the fact that in the last two or three years the City has always ended the fiscal year with a surplus instead of a deficit and that the people were told at the time of the bond issue election two years ago that taxes and water and sewer rates would not have to be increased.

Commissioner Basil E. Atkinson, Jr., M.D., made motion that ordinance covering increase in water and sewer rates as submitted by City Attorney be placed on the agenda for first reading at next regular meeting scheduled for January 17, 1967, and that the public be invited to be in attendance at this meeting to express their opinions thereon. Commissioner Gene H. Nerren seconded the motion and a unanimous affirmative vote was recorded.

6. City Attorney stated he had checked into the possibility of increasing valuations on property from 25% to 35% for tax purposes but that City Commission could actually raise such valuations by instructing City Manager to put into effect.

However, City Attorney further stated that the City Charter specifies that at any time valuations are increased that all property owners must be notified by personal letter and be given an opportunity to appear before the Tax Equalization Board to protest such increase if they so desire.

After some discussion, the City Commission desired to leave the tax situation as is for the time being.

7. City Manager advised that at last meeting authorization was given to changing the population figure of the City of Lufkin and to change the signs at all City limit entrances accordingly.

   City Manager stated that City Attorney had prepared a Resolution showing the present population of Lufkin at 20,756 and stated this figure was arrived at by using the Angelina County Chamber of Commerce formula of getting an average from the total number of Texas Power & Light Company customers, the total number of City of Lufkin Water Department customers and the total number of United Gas Corporation customers, and then multiplying the average by a factor of 3.2. City Manager requested approval of the Resolution.

   Commissioner Earl Nisbet made motion that Resolution be passed as recommended by the City Manager and that present population figure of 20,756 be shown on all City limit signs. Commissioner Basil E. Atkinson, Jr., M.D., seconded the motion and a unanimous affirmative vote was recorded.

8. Open items were gone over and discussed.

   (a) After discussing the item of securing right-of-way on Second Street, City Attorney recommended that City might want to consider giving a lifetime estate to an owner of property on Second Street. City Commission instructed City Attorney to check into this matter further.

   (b) In connection with straightening Ellis Avenue where it intersects with Raguet Street, which was approved for handling at last meeting, Commissioner Dayle V. Smith requested Mr. Ray Terrell of Bernard Johnson Engineers, Inc., to explain the work to be done at the intersection to Mr. Elliott Cavanaugh of Cavanaugh-Peden Drug.

   (c) City Attorney stated he had checked into the bond covering paving work done in Englewood Terrace Sub-Division and that such bond, in his opinion, would not be liable for additional amount City claims is due on such paving and other extras.

   City Attorney stated that Mr. J. A. Bryan had offered to settle with the City for $4,169.75 and that the City should make a decision as to whether to go into court or to accept Mr. Bryan's offer.

   Commissioner Byron McNeil made motion that the City accept Mr. Bryan's offer of $4,169.75 covering the amount due the City on paving in Englewood Terrace Addition and that Mr. Bryan be so advised of this action. Motion was seconded by Commissioner Basil E. Atkinson, Jr., M.D., and the following vote was recorded:

Voting Aye:

Mayor Jim Waters
Commissioner Byron McNeil
Commissioner Earl Nisbet
Commissioner Gene H. Nerren
Commissioner Basil E. Atkinson, Jr., M.D.

Voting Nay:

Commissioner Dayle V. Smith

Mayor declared motion carried by majority vote.

9. Commissioner Basil E. Atkinson, Jr., M.D., called attention to the fact that reading of trailer house ordinance was not on the agenda for consideration at this meeting.

City Attorney stated the reason for this ordinance not being on the agenda was that he had not been able to appear before the City Planning and Zoning Commission to get their opinion with regard to such ordinance, and that as soon as same had been presented to them it would be brought before the City Commission for consideration.

10. Mr. Ray Terrell of Bernard Johnson Engineers, Inc., stated that work on the sewer improvements by Mercer Construction Company, Edna, Texas, had been started and introduced Mr. Phil Kulbes of Bernard Johnson Engineers, Inc., who would be resident inspector on this job.

11. Mr. Bill Welch, a local citizen, appeared before the City Commission and stated, in his opinion, the present City Commission is one of the best the City has had in some time but he thought a mistake was being made by considering the increasing of water and sewer rates and tax rates before letting the public know exactly what is going on with regard to improvements voted in bond issue some two years ago.

Mayor Waters thanked Mr. Welch for his appearance and stated that he had talked to several civic club groups recently in an effort to bring these clubs up to date on this matter.

12. Mr. Pat Scoggins appeared before the City Commission to answer any questions the City Commission might have regarding his request at previous meeting for a Resolution or letter from the City Commission stating it had no objection to Mr. Scoggins and associates constructing low-cost housing units in the City of Lufkin with government loan.

Mr. Scoggins was asked several questions by members of the City Commission with regard to his proposed project and discussion brought out that the City Commission had no objection to the project.

Commissioner Earl Nisbet made motion that City Commission go on record as sanctioning a project of this nature since the City of Lufkin is in need of housing of this type. Commissioner Gene H. Nerren seconded the motion and a unanimous affirmative vote was recorded.

13. The City Commission went on record in complimenting Tom Meredith, who was present, for being named publisher of the Lufkin News.

14. Mayor Waters read letter from Mr. J. M. York, District Engineer, Texas Highway Department, regarding plans for widening of Kurth Drive just west of the Southern Pacific Railroad underpass to the intersection of State Highway No. 103 and U. S. Highway No. 69, northwest of Keltys.

Mr. York desired to know whether the City would be interested in paying the cost of curb and gutter and sidewalks, beginning just west of the underpass and extending through the built up section in the vicinity of Garrett School. Mr. York's estimated cost is as follows:

(a) Curb and gutter on both sides - $3.60 per linear foot of street.

(b) Curb and gutter on both sides, side walk on one side - $5.80 per linear foot of street.

(c) Curb and gutter on both sides, side walk on both sides - $8.00 per linear foot of street.

City Engineer was instructed by the City Commission to check this matter out and report back at a later meeting.

15. Mayor read letter from Mr. J. M. York regarding widening of Frank-Dozier Avenue and proposed Underpass which is quoted as follows:

"Due to the delay of the Frank-Dozier widening and the Southern Pacific Underpass project, and the probability of further delay due to the lack of agreement between the city and the railroad company in regard to the underpass project, I would like to suggest the possibility of proceeding with the development of the remainder of the work without the underpass.

"If this was done, it would provide a four lane east-west traffic artery through the city with the railroad grade crossing as is now and the underpass could be added later if and when final agreement is reached between the parties concerned.

"It would be necessary to cut back the sidewalks between the railroad and Fourth Street as planned to provide parallel parking, or have all parking prohibited on Dozier between these points. It might be necessary to do a small amount of temporary widening on Dozier between Herndon and the Southern Pacific Railroad.

"It is probable that we would have a separate contract for the underpass section anyway, and it is my opinion that it will take six months to complete the procurement of the right of way on Frank and Dozier and get the utilities adjusted to where a contract could be let. By that time maybe some definite disposition could be made of the underpass situation.

"If the procedure outlined is favorably considered by the city, I would appreciate it if you would let me know how long it would take to complete the right of way procurement and utility adjustments."

Commissioner Byron McNeil made motion that the City follow the recommendations set out above in Mr. York's letter with regard to widening of Frank-Dozier Avenue. Commissioner Earl Nisbet seconded the motion and a unanimous affirmative vote was recorded.

16. Mayor Waters brought the City Commission up to date on discussion he had on recent visit to Houston with Mr. Stevens of the Southern Pacific Railroad Company. He stated that the Southern Pacific Railroad Company would give easement for the underpass if the City could satisfy the lessees, among whom is the William George Company.

Mayor stated he asked Mr. Stevens to release the City from the William George project for the time being and Mr. Stevens recommended that the City request Bernard Johnson Engineers, Inc., to contact Mr. George instead of representatives of the City, the Railroad or State Highway Department regarding his claim for damages.

Mr. Ray Terrell of Bernard Johnson Engineers, Inc., stated he had visited with Mr. George and discussed this matter with him. Mr. Terrell suggested that information be developed on what Mr. George actually desires in the remodeling, etc., of his property and that the City then advertise for bids covering the work and pay Mr. George for the so-called damages.

Mr. Terrell stated that if Bernard Johnson Engineers, Inc., were authorized to handle the work, same would have to be under a separate contract of approximately 11% and he estimated the cost for such work to be approximately $3,000.00. He suggested the City enter into an agreement with Mr. George on this matter. Mr. Terrell further stated that his firm was not soliciting this work.

City Engineer, who was present, suggested that he and Mr. Ray Terrell of Bernard Johnson Engineers, Inc., be authorized to check with Mr. George on what he desires and then determine the cost and report same to City Commission in order that the City Commission might offer Mr. George a definite proposal.

Commissioner Gene H. Nerren made motion that City Engineer's recommendation be followed in this regard. Commissioner Basil E. Atkinson, Jr., M.D., seconded the motion and a unanimous affirmative vote was recorded.

17. City Attorney stated the petition presented to the City Commission by the Firemen in previous meeting calling for an election authorizing increase in salary was being studied and he would have necessary papers drawn up calling for an election on proposed increase at next meeting scheduled for Jan. 17, 1967.

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

Jim Waters

Mayor - City of Lufkin, Texas

ATTEST:

Lynn Durham

City Secretary - City of Lufkin, Texas