

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 7th DAY OF FEBRUARY, 1967, AT 7:00 PM

On the 7th day of February, 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. W. W. Luster, Pastor of Central Baptist Church, Lufkin, Texas. Mayor thanked Rev. Luster for his participation and invited him 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 regular meeting of January 17, 1967, and minutes of special meeting of January 19, 1967 be approved as written. Motion seconded by Commissioner Basil E. Atkinson, Jr., M.D. and a unanimous affirmative vote was recorded.
3. City Manager advised had not received any bids on the Log Cabin Building which had been solicited in newspaper advertisement and had requested bids on the cost for removal of the building at City's expense. The following bids for this removal were opened by the Mayor and read by the City Manager.

Kenneth Koon Konstruction Co.\$950.00

E. J. Koon\$700.00

A. A. Wilkerson\$135.00

City Manager recommended that the low bid of \$135.00 by A. A. Wilkerson be accepted by the City. Commissioner Byron McNeil made motion that City Manager's recommendation be followed and that A. A. Wilkerson be awarded the work of removing the Log Cabin Building at a price of \$135.00. Motion seconded by Commissioner Earl Nisbet and a unanimous affirmative vote was recorded.

4. Mr. William Busby, Vice-President-Engineering, of Texas Foundries, Inc., appeared before the City Commission to discuss the water situation facing the City for the next number of years. He stated that the City of Lufkin among other things should make an immediate study of water and sewer facilities that would be required for,

- (1) the next three years, and
- (2) the next fifteen years.

He gave an outline on expansion anticipated by the Texas Foundries, Inc. during the next few years and the anticipated additional water usage that would be required by their plant.

Mayor thanked Mr. Busby for his visit and interest in the City's water situation and stated this matter was being given continuous study in order to meet requirements.

Figures on water production by the City of Lufkin from 1961 thru 1966 were presented by the City Manager and advised that during 1967, with new Well No. 9 and rehabilitated Wells No. 3, 5, 6, 7, and 8 complete, the City should be able to pump approximately 8,928,000 gals. per day in peak periods.

Commissioner Byron McNeil suggested and City Commission concurred that City Manager be instructed to contact Sam Rayburn Lake Officials on our recent inquiry with regard to the possibility of securing surface water from this source in the future. City Engineer stated in his opinion, without any survey having been made, that for the next 10 to 15 years the cheapest source of water for the City would be from wells.

5. City Attorney read caption of ordinance covering regulations of Trailer Houses within the City of Lufkin to be considered on second reading. Commissioner Basil E. Atkinson, Jr., M.D. made motion that ordinance be passed on second reading. Motion was seconded by Commissioner Byron McNeil and a unanimous affirmative vote was recorded.

6. City Attorney read Ordinance and Order calling for City election for Mayor, Commissioner Ward No. 1 and Commissioner Ward No. 3 for three year terms with date for such election being set as April 4, 1967, which is first Tuesday in April and as called for in the City Charter.

Commissioner Byron McNeil made motion that Ordinance and Order be passed setting April 4, 1967 as date for such election and appointing Claud Cook Judge and Falcor Perry Assistannd Judge with necessary Clerks to be appointed to assist in the election. Commissioner Basil E. Atkinson, Jr., M.D. seconded the motion and a unanimous affirmative vote was recorded.

7. Jodie Rouse, Constable Precint 1, appeared before the City Commission as a representative of the Angelina County Peace Officers Association to request permission for his organization to sponser a circus at Teener Park on March 29, 1967; the name of the circus being Kelley-Miller Bros. Mr. Rouse stated that all Ordinances would be abided by and that the premises would be cleaned up after the circus performance.

Commissioner Earl Nisbet made motion that City Commission grant the request of the Angelina County Peace Officers Association to sponsor the circus on March 29, 1967 as requested by Mr. Rouse. Commissioner Byron McNeil seconded the motion and a unanimous affirmative vote was recorded.

8. City Manager stated had dis cussed with Mr. Murphy George the recent plans submitted by City Engineer and Consulting Engineers on revamping his property on Dozier Street, which is in connection with proposed underpass. He stated Mr. George and his associates had given the plans serious consideration and they did not think same would work but would hamper their operations and, therefore, did not accept such plans.

The matter was discussed in detail by the City Commission and decided that positive action should be taken on the matter immediately. Commissioner Earl Nisbet made motion that Jerry Hill, local architect, be contacted and authorized to meet with City Manager, City Engineer and Mr. George to determine exactly Mr. George's desires and then prepare plans and specifications and cost on what needs to be done and submit to the City Commission as soon as possible. Motion seconded by Commissioner Basil E. Atkinson, Jr., M.D. and a unanimous affirmative vote was recorded.

9. City Manager stated he had been contacted by Coach Guyle Akridge, Lufkin Independent School District, regarding ambulance service charge for one of their students who was injured recently. City Manager stated that Coach Akridge advised that previously the Funeral Home who handled the ambulance service charged the school for such services on their athletes at a discount or "no charge" and was wondering if the City could not do the same thing. City Commission did not concur with the suggestion by Coach Akridge and no action was taken.

10. City Manager called attention to letter by City Engineer to Mayor and City Commission on estimates and costs for providing water and sewer services to the proposed Junior College site located approximately 1 1/2 miles South of Lufkin City Limits on U. S. Highway 59.

Commissioner Dayle V. Smith made motion that no action be taken on this matter until next meeting in order to give the City Commission members sufficient time to give the suggestion study. Commissioner Byron McNeil seconded the motion and a unanimous affirmative vote was recorded.

11. City Manager presented invoice, Estimate No. 1, from Layne Texas Co. in the amount of \$3,285.00 for work on Water Well No. 8. He stated 10% had been retained from this original invoice and also that Consulting Engineers as well as City Engineer had approved the invoice and he recommended same be authorized for payment.

Commissioner Byron McNeil made motion that City Manager be authorized to pay invoice in the net amount of \$3,285.00 to Layne Texas Co. Commissioner Earl Nisbet seconded the motion and a unanimous affirmative vote was recorded.

12. City Manager stated he had discussed with Dr. Frank Leathers, Superintendent of Lufkin Independent School District, sidewalks and curb and gutter to be installed on Highway 69 from the Underpass East to Garrett School and Dr. Leathers was going to check with his Board to see if they would not absorb the cost for sidewalks.

City Engineer stated that he had discussed this matter today on the telephone with Highway Department representative and they suggest that the 1000 ft. strip on the South side of the Highway be given priority if the City participates in cost of curb and gutter.

Commissioner Gene H. Nerren made motion that the City participate in this 1000 ft. of curb and gutter on the South side at a cost of approximately \$1,800.00. Commissioner Earl Nisbet seconded the motion and a unanimous affirmative vote was recorded.

13. Open items were gone over and discussed and the following action was taken thereon.

Commissioner Gene H. Nerren made motion that action taken in meeting of January 17, 1967, by the City Commission with regard to drainage situation at Land O'Pines Dairy be rescinded. This action was that Land O'Pines Dairy would be expected to comply with their proposal made on January 9, 1967 within 30 days and, if not, be penalized \$100.00 per day each day thereafter that they did not comply. Commissioner Nerren stated his reasons for making this motion to rescind previous action was that Land O'Pines Dairy was now trying to cooperate in eliminating the drainage situation. Commissioner Basil E. Atkinson, Jr., M.D. seconded the motion and a unanimous affirmative vote was recorded.

14. Mr. R. C. Musslewhite along with a number of interested citizens from Herty appeared before the City Commission to request action be taken on approving a Resolution stating the City of Lufkin had no objection to the Community of Herty installing a water and sewer system known as Herty Water and Sewer Supply Corp. Mr. Musslewhite stated that at previous meeting of January 17, 1967, the City Commission had deferred action until this date.

Commissioner Byron McNeil along with Commissioner Dayle V. Smith called Mr. Musslewhite's attention to the informal meeting held after the above regular meeting wherein the City Commission was advised that no further appearance would be made before the City Commission until a community meeting was held in Herty and all parties for and against such proposed Resolution were invited to attend.

Mr. Musslewhite stated such meeting had not been held since he did not feel anything would be accomplished since one faction would be for and another faction would be against the City approving the Resolution.

There were a number of citizens also present who objected to the City approving such Resolution. This matter was discussed in considerable detail and Commissioner Genen H. Nerren made motion that the City of Lufkin decline the request by Mr. Musslewhite and certain citizens of Herty for a Resolution by the City voicing no objection to the Herty Water and Sewer Supply Corp. Commissioner Dayle V. Smith seconded the motion and a unanimous affirmative vote was recorded.

15. Mayor read letter from Commissioner William F. Prince dated February 7, 1967, addressed to the City Commission resigning from his position of Commissioner Ward No. 1. He stated it was the recommendation of his physician that he should do this in the best interest of his health due to a recent heart attack. Mayor stated he regretted Billy having to do this since he had served in a very commendable manner and had contributed greatly to the progress of the City of Lufkin since being a member of the City Commission but recommended that the City Commission grant Billy's request.

Commissioner Earl Nisbet made motion that the City Commission accept Commissioner Prince's resignation with regret and a Resolution be passed commending him for the service rendered the City of Lufkin while a member of the City Commission and that Mr. Carl Liese, who was recommended by Commissioner Prince, be appointed to serve the balance of Commissioner Prince's term as Commissioner Ward No. 1. Commissioner Basil E. Atkinson, Jr., M.D. seconded the motion and a unanimous affirmative vote was recorded.

The following Resolution was approved by the City Commission commending Commissioner Prince for his work and contribution to the progress of the City of Lufkin as a member of the City Commission.

"WHEREAS WILLIAM F. PRINCE having served for a period of approximately two years as City Commissioner of the City of Lufkin, Texas, and

WHEREAS during the period of time when said WILLIAM F. PRINCE served the City of Lufkin many issues and problems arose concerning matters of the City of Lufkin and during which time said WILLIAM F. PRINCE performed his duties as City Commissioner with the utmost sincerity, dignity and able ability while keeping in mind the best interest for the majority of the people of the City of Lufkin, and

WHEREAS the said WILLIAM F. PRINCE has found it necessary to resign for reasons of health, and

WHEREAS it is the desire of the present City Commission of the City of Lufkin, Texas, that it express its appreciation to the said WILLIAM F. PRINCE for the services rendered to this Municipal Government and to the citizens of this community.

NOW THEREFORE, BE IT UNANIMOUSLY RESOLVED by the City Commission of the City of Lufkin, Texas, that the said WILLIAM F. PRINCE be, and he hereby is, commemorated for the high degree of service rendered for this community and that this resolution express the appreciation of this commission and the people of this community for such services so rendered by the said WILLIAM F. PRINCE, and wish him good health.

Be it further resolved that a copy of this resolution be delivered to the said WILLIAM F. PRINCE,

Passed unanimously at a regular meeting of the City Commission of the City of Lufkin, Texas on this the 7th day of February, 1967."

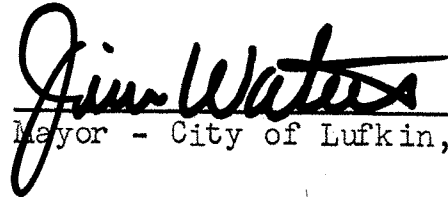
16. Mayor stated he had received a request from Lufkin Youth Baseball Association requesting authority to construct two practice fields in rear of Teener Park. Commissioner Byron McNeil made motion that this request be granted, seconded by Commissioner Basil E. Atkinson, Jr., M.D. and a unanimous affirmative vote was recorded.
17. City Attorney read agreement he had prepared between the City of Lufkin and Mr. Leo Porter covering a 2" water line in Herty Community which Mr. Porter is constructing. This contract guarantees, before anyone ties onto City water through such line, that Mr. Porter must give his approval prior to such tie-on.

Commissioner Dayle V. Smith made motion that Mayor be authorized to execute the contract on behalf of the City. Motion was seconded by Commissioner Basil E. Atkinson, Jr., M.D. and a unanimous affirmative vote was recorded.
18. Commissioner Basil E. Atkinson inquired if any further information had been received from School Tax Office on equalizing City and School valuations. City Manager stated was following through on this item.
19. Commissioner Basil E. Atkinson, Jr., M.D. called attention to Resolution recently furnished and proposed by Bernard Johnson Engineers, Inc. to be studied and adopted if so desired by City Commission requesting Angelina and Nacogdoches Counties Water Control and Improvement District No. 1 to proceed with engineering studies necessary in purchasing surface water. No action was taken by City Commission on this proposed Resolution.
20. At this point, Mr. Carl Liese, who had been called by telephone with regard to his appointment as Commissioner Ward No. 1 in place of Commissioner William F. Prince, appeared before the City Commission and was sworn in by the City Attorney and congratulated by the members of the City Commission and extended every good wish and assistance.

Mr. Liese stated he appreciated the confidence exhibited by the City Commission in appointing him a member in Mr. Prince's position as Commissioner of Ward No. 1 and would work for the betterment of the City of Lufkin at all times.

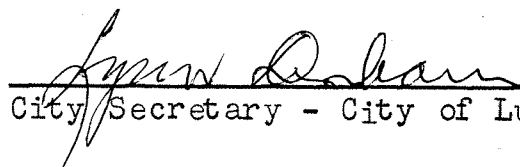
At this point, the Mayor advised Mr. Liese he was giving him the opportunity to make his first motion, that the meeting be adjourned.

21. Commissioner Carl Liese made motion that meeting adjourn at 9:30 P.M. Motion was seconded by Commissioner Earl Nisbet and a unanimous affirmative vote was recorded.



Mayor - City of Lufkin, Texas

ATTEST:



City Secretary - City of Lufkin, Texas