

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE
CITY OF LUFKIN, TEXAS, HELD ON AUGUST 15, 1961, 7:30 P.M.

On this the 15th day of August, 1961, the City Commission of the City of Lufkin, Texas, convened in regular session in regular meeting place in said City, with following members thereof, to-wit:

Jim Waters	Mayor
E. Kurl Shirey	Commissioner, Ward No. 1
Beamon S. Cook	Commissioner, Ward No. 2
S. Harry Kerr	Commissioner, Ward No. 3
A. G. Welch	Commissioner, Ward No. 4
Harold Schmitzer	City Manager
Lynn Durham	City Secretary
William D. Perkins	City Attorney

being present.

1. Meeting opened with prayer by Rev. A. C. Billingsley, pastor of Denman Avenue Baptist Church. Mayor Jim Waters thanked Rev. Billingsley for his participation and invited him to remain for entire meeting or to feel free to leave when he so desired.
2. Minutes of previous regular and special meetings were read and approved.
3. A number of visitors were present in connection with items on the agenda. However, two young ladies were present as observers, being guests of Rev. Billingsley.
4. Ned Shands, Jr., Attorney, along with Dr. L. H. Denman, appeared before the City Commission regarding alleged damage done to Dr. Denman's property off Davisville Road by drainage. Mr. Shands stated he had been in consultation with City Manager for past 90 days but had not received any definite information as to whether City was going to take any action to rectify the condition.

Dr. Denman also spoke and was very indignant because the City had not taken any steps to alleviate the conditions which he claims have occurred during the past three or four years. He further stated he had discussed the situation with proper City official on several occasions. Stated his property had been severely damaged during the past several years due to larger volume of water draining across same. Dr. Denman stated that something definite would have to be done or he would take necessary legal action. He also called attention to fact that sewer line was installed across his property by City although he had never granted easement. Ned Shands, Jr., stated no legal action was anticipated at this time regarding the installation of this line across Dr. Denman's property without easement, but requested that City Commission authorize an engineering study be made of the area to see what was causing the drainage damage as he felt this was the only solution.

City Manager stated this matter had been studied by him for some time and that he had found that the drainage in this area had run across Dr. Denman's property prior to the areas annexation by the City and that he had not diverted any water across Dr. Denman's property from any other source to aggravate the situation. He stated that two culverts were installed under the Davisville Road in 1958 to replace large bridge which was stopped up and broken, causing water to flow over the road and across Mrs. Dodson's property. Also that this problem had been gone over on the ground with several of City Commission members, City Engineer and City Attorney and that all the City officials had found that the City did not cause the alleged damage. City Manager read correspondence between him and Dr. Denman on this subject from 1958 through July 1961 in order to familiarize the City Commission with the misunderstanding and

disagreement. Considerable discussion developed and City Attorney stated it was his judgment that City was not at fault and could not be held liable for the alleged damages that Dr. Denman claims and did not feel City should stand the expense of a costly engineering study to determine necessary information for Dr. Denman to use in filing suit against City. Ned Shands, Jr., was in sharp disagreement and recommended very strongly that an engineering study be made. Commissioner S. Harry Kerr made motion that City Manager be authorized to contact Everett Griffith, Jr., professional engineer, and get an estimated cost for engineering fee for making a study to determine cause for drainage damage and also an estimate of cost to remedy the condition. Commissioner E. Kurl Shirey seconded the motion and vote was unanimous.

5. Commissioner Beamon S. Cook made motion that ordinance covering zone change from "B" to "L" District on property adjoining Land-O-Pines Dairy and located between Maple and Sayers Streets as requested by Dixon Abney, be approved on first reading. Commissioner A. G. Welch seconded the motion and vote was unanimous.
6. Commissioner E. Kurl Shirey made motion that ordinance covering procedures, duties, etc. of Corporation Court be passed on second and final reading. Commissioner S. Harry Kerr seconded the motion. However, before vote was taken, considerable discussion developed on whether Court costs should be assessed to cover the offenses of running stop signs and red lights. Commissioner Beamon S. Cook said he thought these costs should not be assessed in relation to these two items and suggested ordinance should be worded accordingly. Mayor Waters called for vote on passage of ordinance per above motion and second with following results:

Voting Aye: Mayor Jim Waters
Commissioner E. Kurl Shirey
Commissioner S. Harry Kerr
Commissioner A. G. Welch

Voting Nay: Commissioner Beamon S. Cook

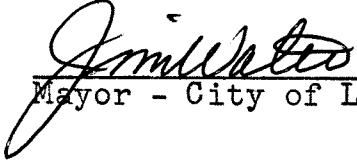
Mayor Jim Waters declared motion carried by majority vote.

7. Mayor Waters advised that before definite action was taken by City Commission on second and final reading of ordinance covering traffic control for entire City, would like to hear from visitors who where present in favor of and against inclusion in ordinance for the extension of one-way street north one block on North Second Street.

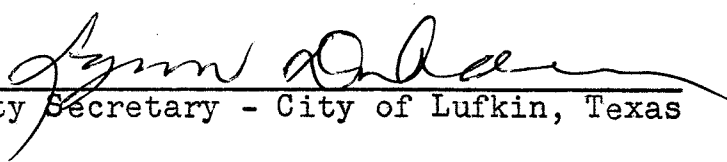
Mr. Paul Johnson, Minister of Central Church of Christ on North Second Street, along with Messrs. R. C. Trimble, Marvin Partin, and Sidney J. Smith, appeared before the City Commission to recommend that one-way traffic on North Second be extended one block by their Church. He said this would be a safety measure for children crossing street and allow for better parking for people attending services. It was brought out in discussion that if this block was made one-way, it would be necessary to extend other parallel one-way streets one block. Messrs. Fred Rook, Carlton Brashear and Louie McGowan were present to protest this extension of one-way street because they said it would hurt people's business and does not now create a hazard. Commissioner Beamon S. Cook made motion that request for extension of one-way street be rejected, motion seconded by Commissioner S. Harry Kerr. Considerable more discussion developed before vote was taken and, upon suggestion of Mayor Waters, it was decided that a flashing red light would be loaned to the Church for use during services to slow down traffic. This idea was approved by the church people present and they expressed appreciation for the offer. Unanimous vote was given to the above motion.

Commissioner S. Harry Kerr made motion that Ordinance without the one-way extension be passed on second and final reading. Commissioner E. Kurl Shirey seconded the motion and the vote was unanimous.

8. Commissioner A. G. Welch made motion that ordinance covering zone change from "B" to "F" District covering property located at 1608 Barto Drive, by Morris Smith and wife, be passed by variance on second and final reading. Commissioner Beamon S. Cook seconded the motion and the vote was unanimous.
9. Commissioner Beamon S. Cook made motion that ordinance covering zone change from "B" to "F" District covering property located at corner of South Bynum and Pershing by Walter Harris and wife be passed on second and final reading. Motion seconded by Commissioner A. G. Welch and vote was unanimous.
10. City Manager read his progress report. It was noted that revenues were not coming in as anticipated when budget prepared and would be necessary to make provision to meet our operating expenses for last half of August and September. City Manager estimated City would need \$60,000.00 and recommended that City Commission authorize Mayor to sign note with Lufkin National Bank for this amount. He stated that General Fund and Water and Sewer Revenue Fund were short of budget as of this date by \$50,165.36 and could be attributed to wet summer when water consumption has been drastically reduced. Also several other revenue bearing items have not come up to budget expectations, such as parking meter receipts and Corporation Court fines due to new insurance law causing "not guilty" pleas to avoid extra insurance costs. After some discussion, Commissioner Beamon S. Cook made motion that Resolution be approved authorizing Mayor to sign note with Lufkin National Bank for \$60,000.00 for 120 days as recommended by City Manager. Commissioner A. G. Welch seconded the motion and vote was unanimous.
11. City Manager stated that he had just noted that new West Side Loop designated by State Highway Department as Loop 287, inside the City Limits, had ~~not~~ been given a name and recommended that a name be given this Loop. Some discussion developed and upon Mayor Waters' recommendation of name of "John Redditt Drive", Commissioner S. Harry Kerr made motion that this West Side Loop be named "John Redditt Drive". Commissioner Beamon S. Cook seconded the motion and the vote was unanimous.
12. Open items were gone over with progress being noted on several of these items.
13. Commissioner Beamon S. Cook made motion that payment of invoices be authorized. Commissioner A. G. Welch seconded the motion and the vote was unanimous.
14. There being no further business for consideration, meeting adjourned at 11:10 P.M.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas