

being present, and the following absent:

S. Harry Kerr

Commissioner, Ward No. 3

1. Meeting opened with prayer by Mayor Jim Waters.
2. Minutes of regular meeting of October 17, 1961, were read and approved.
3. Mayor Jim Waters welcomed several visitors among whom was Mr. Floyd McCormick who requested to be heard regarding reimbursement of a fine assessed against a man in his employ. Mr. McCormick had not previously requested to be placed on the agenda. Commissioner Beamon S. Cook moved that Mr. McCormick not be heard at this meeting but placed on the agenda for next meeting. There was no second or vote on motion but Mayor Waters and City Commission members were in agreement and Mr. McCormick was advised to be at next meeting if he so desired.
4. Mr. Parker McVicker, attorney, appeared before the Commission and requested postponement of second and final reading of ordinance on zone change application of Mrs. H. W. Ragland from "A" to "F" District covering Lots 5, 6 and 7, Block 4, Woodland Heights Addition and Lots 8, 9 and 10, Block 3, Oakland Addition, since all members of Commission were not present. Commissioner Beamon S. Cook made motion that request be granted, seconded by Commissioner E. Kurl Shirey and vote was unanimous.
5. City Manager presented street dedication easement from Gulf Refining Company for approval on part of City by Mayor which is necessary to complete connection of Wildbriar and West Evans Streets. City Manager requested that Mayor be authorized to execute easement on part of City. Commissioner Beamon S. Cook made motion that Mayor be given this authorization to sign the easement, seconded by Commissioner E. Kurl Shirey and the vote was unanimous.
6. City Attorney advised that Judge J. W. Summers had over-ruled both parties' motion for Summary Judgment in annexation suit against City by Attorney Charles Ruth and City would await further developments.
7. Open items were gone over and City Attorney advised that we would probably know within the next week as to the date City's suit against Sullivan Packing Company to vacate City property would be set.

Mr. D. M. Cummins appeared before City Commission in connection with previous request for City to rectify unsanitary condition at his father's property on Branch Street where he claimed raw sewage was allowed to flow across said property from houses owned by Ralph Bargainer. He stated that he was making the same request at this meeting since, in his opinion, the condition still exists. It was brought out in discussion that Mr. Bargainer was given 18 days at last meeting to see that condition was rectified and that septic tank installations at

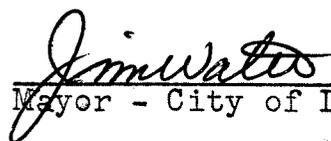
eliminate this condition and has agreed that if the work which has been done does not prove sufficient to eliminate the trouble, that we will do whatever is necessary to completely control the condition."

City Manager stated that from the above letter, it was his judgment the situation was now under control and suggested that City Commission members make inspection on ground to verify present status. Mayor Jim Waters and Commissioner Beamon S. Cook were in favor of the inspection. However, Commissioner E. Kurl Shirey and Commissioner A. G. Welch did not feel it was the place of the City Commission to make the inspection; that this was the duty of Plumbing Inspector and Health Inspector to handle with City Manager and report made to City Commission as to compliance. Commissioner E. Kurl Shirey made request that City Health Inspector and Plumbing Inspector make a report by Friday, November 10, 1961, that Mr. Bargainer has complied with plumbing code. City Manager will instruct these Inspectors accordingly.

City Attorney advised Mr. Cummins that before he would make any recommendation on his claim for reimbursement of \$75.00 his father spent to remedy the above condition, a study would have to be made of the facts involved.

Mr. Cummins again referred to change of name of Branch Street to Sulser Street and that street signs had been changed to indicate this. City Manager advised the name of Sulser Street was on street map when he came here in December, 1956, and that street sign showing name of Sulser had also been ordered prior to his coming. City Attorney advised that as far as changing name of streets, this was the duty for City Commission and the question of whether Branch Street was Sulser Street was a question that could be handled later with City Commission by City Manager after consulting with people involved on such streets.

8. There being no further business for consideration, meeting adjourned at 9:00 P.M.



Mayor - City of Lufkin, Texas

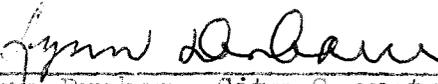
ATTEST:



City Secretary - City of Lufkin, Texas

12-8-61

NOTE: In meeting of November 21, 1961, minutes of meetings dated October 24 and 26 and November 7, 1961, were read and approved. This information, through oversight, was not shown in minutes of the November 21, 1961 meeting.


Lynn Durham, City Secretary