

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF
THE CITY OF LUFKIN, TEXAS, HELD ON OCTOBER 17, 1961,
AT 7:30 PM.

On the 17th day of October, 1961, the City Commission of the City of Lufkin, Texas, convened in regular session in the 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

being present, and the following absent:

William Drew Perkins City Attorney

constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. H. E. Small, Pastor of Calvary Baptist Church, who was thanked by Mayor Jim Waters for his participation and invited to stay for the entire meeting.
2. Minutes of previous meeting were read and approved, after minor correction.
3. Mr. D. M. Cummins appeared before the City Commission requesting that immediate action be taken by the City to rectify a very unsanitary condition now existing on Branch Street (Sulser). He stated that Mr. Ralph Bargainer, Street and Garbage Superintendent, owns property adjoining his father's property on this street and Mr. Bargainer has several houses with septic tank installations and raw sewage was now draining from these septic tanks onto his father's property and into ditches along the street. He said the condition was very unhealthy and that he had discussed this matter with the City Manager, City Health Inspector and Mr. Bargainer on two or three occasions in the past and had also discussed it with Commissioners Beamon S. Cook and A. G. Welch on one occasion. Since no action had been taken he felt he should appear before the City Commission and request action be taken to eliminate the condition.

The City Manager stated that Mr. Bargainer had been on vacation the past two weeks but had discussed the matter with him, and that Mr. Bargainer had agreed to start work to eliminate the condition next Saturday. There was considerable discussion on this subject and the City Commission members were agreed that the condition should be remedied immediately. Commissioner E. Kurl Shirey stated he was appalled that raw sewage was allowed to flow as reported in this case. It was brought out in discussion that if the septic tank installations had been made in accordance with our Plumbing Code this condition would not have existed. Commissioner S. Harry Kerr made motion that Mr. Bargainer be instructed to see that septic tank installations at his houses in this area are made to comply with our Plumbing Code and that a time limit of 18 days be given from this date. Commissioner E. Kurl Shirey seconded the motion and the vote was unanimous. Mr. Cummins stated his father had expended \$75.00 to clean up some of the above drainage and felt the City should reimburse him for this amount. The City Manager to check into this item and make recommendation to the City Commission.

4. Phillip Leach, Attorney, appeared before the City Commission and requested permission to prepare a brief for Mr. A. O. McQueen to submit at a future meeting on claim to building at Old Airport which the City dismantled and parts of which were reassembled at the City Warehouse.

He stated that he had supplemental agreement between Mr. A. O. McQueen and the City which supersedes the agreement which stipulated that buildings reverted to the City after fifteen years. Mayor Jim Waters told Mr. Leach to prepare his brief and appear before the City Commission at a later date for hearing.

5. Commissioner Beamon S. Cook made motion that ordinance recovering zone change from "A" to "F" District ^{requested} by Mrs. H. W. Ragland, covering Lots 5, 6 and 7, Block 4, Woodland Heights Addition, and Lots 8, 9 and 10, Block 3, Oakland Addition to the City of Lufkin, located on Frank and North Bynum be passed on first reading. Commissioner S. Harry Kerr seconded the motion and the following vote was recorded:

Voting Aye:

Mayor Jim Waters
 Commissioner Beamon S. Cook
 Commissioner E. Kurl Shirey
 Commissioner S. Harry Kerr

Voting Nay:

Commissioner A. G. Welch

Mayor Jim Waters declared the motion carried by 4 to 1 majority.

6. Commissioner S. Harry Kerr made motion that ordinance changing name of Henderson Street in the City of Lufkin to Packer Street be passed on second and final reading. Commissioner Beamon S. Cook seconded the motion and the vote was unanimous.
7. The City Manager called attention to a letter to him signed by four members of the City Commission and dated Oct. 12, 1961, authorizing Mayor to sign plans and specifications for widening of North Raguet, these plans having already been approved by the District Highway Engineer, City Engineer and City Manager. He felt official action should be recorded in minutes. Commissioner E. Kurl Shirey made motion that the letter be verbally ratified by the City Commission and notation recorded in minutes. Commissioner S. Harry Kerr seconded the motion and the vote was unanimous.
8. The City Manager stated all property owners had been contacted regarding procurement of right-of-ways on North Raguet Street from Abney north by our Tax Attorney, and we are certain we can obtain these right-of-ways for \$2,560.00 more than the appraised value, or a total of \$6,375.00, and recommended this be done rather than go through condemnation proceedings in court. Commissioner Beamon S. Cook desired that it be understood with New Zion Baptist Church that they would move the brown dwelling house on their property back. After some discussion, Commissioner E. Kurl Shirey made motion that the following settlement be made with property owners for procurement of right-of-way in the amount of \$6,375.00, with definite stipulation that we notify the New Zion Baptist Church to move the brown dwelling house on their property back twenty-four (24) feet from its present location.

Parcel No. 1 & 3	New Zion Baptist Church	\$1,050.00
Parcel No. 2	Georgia Lee, approximately	100.00
Parcel No. 4	James Clark and A. G. Welch	2,750.00
Parcel No. 5	Glen Stevens	1,375.00
Parcel No. 6	Norris Fence Company	200.00
Parcel No. 7	Mrs. J.O. Satterwhite and Leaseholder	900.00
		<u>\$6,375.00</u>
	Appraised values	3,815.00

Commissioner S. Harry Kerr seconded the motion and the vote was unanimous.

9. The City Manager requested approval to contact Mercantile National Bank in Dallas to invest approximately \$25,000.00 now in the reserve fund of our Water & Sewer ^{fund} Bond account in this bank in U. S. Treasury bonds, since this money was lying idle and could be accruing interest.

Commissioner E. Kurl Shirey made motion that the City Manager be granted this approval. Commissioner A. G. Welch seconded the motion and the vote was unanimous.

10. Rev. H. E. Small reported that arrangements had been completed for a meeting on Oct. 23, 1961, from 8:30 to 10:00 AM at the Armory to honor our men who are leaving for military duty on this date. It was the feeling of the City Commission that City Hall should be closed during this time. Commissioner E. Kurl Shirey made motion that City Hall not open on Oct. 23 until 10:00 AM. Commissioner S. Harry Kerr seconded the motion and the vote was unanimous.

11. Open items were gone over and discussed.

It was brought out in discussion that the old house on Dr. Arrington's property which has been condemned by the City as a fire hazard was still standing with only windows and frames removed, even though this property was recently sold to Mr. Clyde Jordan for taxes. Commissioner S. Harry Kerr made motion that Mr. Jordan be advised by letter that the City desired the old building torn down and removed due to fire hazard within a period of 25 days. Commissioner E. Kurl Shirey seconded the motion and the vote was unanimous.

12. Commissioner S. Harry Kerr called attention to complaints he was getting lately on the lack of courtesy displayed by our Police Department in dealing with citizens who may have violated some traffic rule. He said he felt any person, regardless of race, color or creed, should be treated with the utmost courtesy. Also he was not now so sure he was right in voting for the ordinance setting court costs in addition to fine for running Stop signs and red lights. The City Manager stated that the Police force have always been instructed to be courteous to people and we certainly were endeavoring to improve on our Police Department. He asked Commissioner Kerr to give him specific instances regarding discourteous actions and he would see that the Officer or Officers involved were reprimanded. As far as court costs on the traffic offense of running red lights or Stop signs are concerned, he felt this should be discussed more fully when the City Attorney is present and can advise in this regard.

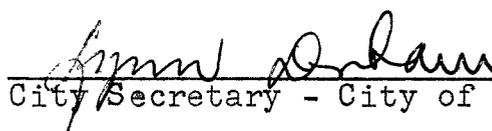
13. Invoices for payment were discussed in some detail and especially the cost of operating automobiles in the Police Department. The suggestion was made that it would perhaps be more economical to trade these automobiles in for new ones after reaching certain mileage limit. The City Manager said he would desire to withhold any action of this nature until the budget was considered and approved. Commissioner E. Kurl Shirey moved that invoices be ordered paid. Motion seconded by Commissioner Beamon S. Cook and the vote was unanimous.

14. Mayor Jim Waters canvassed the members on the most convenient date for considering the budget. After some discussion the date of Tuesday, October 24, 1961, was set.

15. There being no further business for consideration, the meeting adjourned at 9:45 P.M.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas