

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

On this the 7th day of February, A.D. 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
Bayo Hopper	Commissioner, Ward No. 3
A. G. Welch	Commissioner, Ward No. 4
Lynn Durham	City Secretary
William D. Perkins	City Attorney

being present, and the following absent:

Harold Schmitzer City Manager

constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. Marvin Williams, Pastor of First Presbyterian Church, who left immediately after being thanked by Mayor Waters for his participation in the meeting.
2. Minutes of previous meeting were read and approved after minor correction.
3. Several visitors were present and welcomed by Mayor Waters.
4. City Attorney read caption of Ordinance for passage on first reading covering changing of zone from "A" to "G" District, Lots 1, 2, 3, 4 and 5, Block 1, Forrest Park Second Addition, as requested by Dr. Felix Peebles, Jr., and Jerry Girard. The Zone Board recommended approval of this change. The City Planning Commission also concurred with Zone Board but felt change should be handled by variance. In this manner, should property change hands, zone would revert back to present status. Commissioner E. Kurl Shirey made motion that change^{be} handled by variance, seconded by Commissioner Bayo Hopper and the vote was unanimous.
5. City Engineer presented for approval supplemental Agreement No. 1, Contract No. 1, Howard Pool Company, in amount of \$5,027.38 covering by-pass gate and motor to handle overflow at wet well. This supplemental Agreement has been approved and recommended by Freese, Nichols, Turner & Collie, and City Engineer recommended its approval on part of City. Commissioner Bayo Hopper made motion that same be approved and that Mayor Waters be authorized to handle to conclusion. Commissioner Beamon S. Cook seconded the motion and the vote was unanimous.
6. City Engineer presented Change Order No. 1, Contract No. 2, Howard Pool Company, in amount of \$3,832.00 which has been recommended and approved by Freese, Nichols, Turner and Collie. City Engineer recommended approval on part of City. Change Order covers use of junction boxes in lieu of regular manholes and additional stabilized sand bedding where standard pipe is used in lieu of extra strenght pipe. Commissioner Beamon S. Cook made motion that Change Order be approved. Commissioner A. G. Welch seconded the motion and vote was unanimous.
7. City Engineer presented Estimate No. 13, Contract No. 1, Howard Pool Company, in the amount of \$2,289.83 which has been approved by Mr. R. E. L. Johnson of Freese, Nichols, Turner and Collie who was present at this meeting. Mayor Waters called attention to letter to City Commission by Mr. R. E. L. Johnson recommending that City release to Howard Pool Company the 10% previously retained from payment in the amount of \$29,762.13.

This letter also stated contract was over in calendar days allowed by 97. In discussion, it was brought out that approximately \$7,000.00 in work still remained to be completed under this contract. It was the feeling of the City Commission that the 10% previously retained from payments could be released, but that liquidated damages due to overage in calendar days, in amount of \$5,000.00, should be withheld until some agreement is reached in this regard. Commissioner E. Kurl Shirey made motion that \$27,051.96 (\$2,289.83 / \$29,762.13 - \$5,000.00) be approved for payment. Commissioner Beamon S. Cook seconded motion and the vote was unanimous.

8. City Engineer presented Estimate #12, Contract #2, Howard Pool Company, in amount of \$7,043.02, for approval to pay. Stated same had been recommended by Mr. R. E. L. Johnson of Freese, Nichols, Turner and Collie, and he also recommended approval for payment. Commissioner Bayo Hopper made motion that same be approved for payment. Commissioner E. Kurl Shirey seconded the motion and the vote was unanimous.
9. City Engineer presented statement from Howard Pool Company in amount of \$91.50 covering City's portion of asphalt tile floor in Pump House at Sewage Treatment Plant which is a part of Contract No. 1. City Engineer recommended same be approved for Payment. Commissioner Beamon S. Cook made motion that same be approved for payment, seconded by Commissioner Bayo Hopper and the vote was unanimous.
10. Open items were gone over and discussed.
11. There being no further business for consideration, meeting was adjourned at 8:40 PM.



Mayor - City of Lufkin, Texas

ATTEST:



City Secretary - City of Lufkin, Texas