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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, February 17, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Mrs. Beatrice Nogle, Richard Hendrick, Charles Schmidt,	Councilmen
Geneva Sides,	City Secretary

Members Absent:

James E. Dover,	City Manager

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Calvin Lawrence.

Reading of the minutes of the December meeting, which was the last regular meeting held, was waived and were not approved since they had not been distributed to the members of the Council.

Mr. Lynn Montes, representing Axley and Rode, Certified Public Accountants, appeared before the Council to present the audit report for the 1973-74 fiscal year. Mr. Montes reviewed the general audit of the City's regular funds and also the Revenue Sharing Fund and Park and Recreation Fund. He stated that in general, the City is in good financial condition. The Council discussed with Mr. Montes each Department's operations. After the discussion, Nogle moved the audit be accepted as presented. Second by Schmidt.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

Mr. Nolan Hall and Mr. Jim Nethery appeared before the Council to discuss the end of Winder Street which runs between their homes. They stated the street is muddy in winter and dusty in summer and since it is a dedicated street, requested that the City maintain it. After discussion, Mayor Thompson assured Mr. Hall and Mr. Nethery that the City will improve this portion of Winder Street.

Council discussed the County-wide landfill operation which is

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being offered to the City. After discussion, and recommendation of Mayor Thompson, Alderman Simms moved the Council table the discussion of moving the City's landfill until it is absolutely the only solution of operation. Second by Nogle.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

City Secretary presented Change Order #3 from Thomas and Thompson in the amount of $660. for changes at the new wastewater treatment plant. This includes installation of three 6" dresser couplings and dividing the two sections of the sludge drying beds into four sections by installing a 24" lightweight concrete block wall, which had been requested by the City. Hendrick moved the Change Order be approved. Second by Schmidt.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

Mayor Thompson stated that at an earlier meeting Council had approved an amendment to the street ordinance regarding culverts and specifications for streets and sidewalks. The amendment was presented specifying only reinforced concrete culvert pipe to be used. After brief discussion, Simms moved the amendment be adopted and finally passed. Second by Lawrence.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

Utilities Director, M. D. Scarborough reported to the Council that Diboll is the only City in this area not requiring that and electrician be licensed with the City. He stated that the electricians are bonded and their license from another City are being honored at this time. He stated that he has contacted a consulting engineer, A. L. Hogan and Associates of Houston, who can furnish the City with the test procedures at an initial charge of $250.00 to prepare the tests and $35.00 for each test graded. The City would not be responsible for the issuing of the license until results are received from Hogan and Associates. Mr. Scarborough recommended that the City charge $50.00 for the license and $50.00 for renewal each year. After discussion, Hendrick moved Mr. Scarborough's recommendation be accepted and the City require that electricians be licensed. Second by Lawrence.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

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City Secretary introduced a resolution from Deep East Texas Council of Governments Criminal Justice Council for the purchase of certain police radio equipment. The total cost of the equipment is $2,298.00 but can be purchased for the City at 25% of the cost, $574.50. After brief discussion, Nogle moved the City adopt the resolution. Second by Hendrick.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

Mayor Thompson reported that he and Alderman Nogle had attended a meeting February 12 at the Indian Reservation concerning the Community Development Act of 1974. This is in regard to block grants that can be obtained for the improvement of the community. He explained that we are required to have a separate meeting to discuss with the citizens of Diboll the various facilities that can be financed through a block grant before the application is completed. Mr. Thompson stated that citizens would be notified at a later time regarding this.

City Secretary presented an ordinance and necessary resolutions authorizing payment to the City's financial advisor, Robert G. Day, in the amount of $5,350. for services rendered during construction of the City's wastewater treatment plant and improvements. Certificates of Obligation would be issued for $5,000. and the remaining $350. will be paid from the General Fund. Lawrence moved this ordinance be adopted and payment in the amount of $5,350. be made. Second by Simms.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

Estimate #9 from Thomas and Thompson in the amount of $14,000. for work completed on the treatment plant was presented for approval. Lawrence moved the estimate be approved subject to approval and necessary documents from Robert G. Day, Financial Advisor. Second by Simms.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

City Attorney, John Sloan, reviewed briefly with the Council his recommendations regarding the cable television service. Representatives from CATV were present to answer any questions from the Council. The three main recommendations from the attorney were:

1. Transfer the present franchise from Eddie Martin to the new owner, rather than issue a new one.

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2. Negotiations for a new franchise should be started within twelve months and completed within eighteen months, to become effective in 1977. The gross receipts tax to be increased from 2% to 3% and the rates to become effective March 1, 1975 to be $6.00 per month and $1.00 per month for each extra outlet. This is a rate increase of $1.00 and an extra outlet increase of $.50 per month. The complete schedule of service charges are attached to and made a part of these minutes.

3. Representatives assured the Council that an effort will be made to furnish service to everyone inside the City Limits as soon as possible. After considerable discussion, Hendrick moved these recommendations be approved and transfer of the franchise be granted to CATV, Inc. Second by Nogle.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

Upon motion by Nogle and second by Simms, Mayor Thompson declared that the City Election be set for April 5, 1975 from 8:00 A. M. until 7:00 P. M. at the Elementary Cafeteria.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

In other business, Morris Tate appeared before the Council concerning the drainage problems on Nelson Drive. After discussion, a public meeting that had been postponed twice due to illness of the City Manager, was set for February 21, 1975 at 7:30 P. M. at City Hall for the purpose of hearing the citizens of the area. The City's Engineer, Jerry Fontaine, would be at the meeting to explain the drainage problems of the area, the various possible solutions he has studied and to answer questions and comment on any plans proposed by citizens.

There being no further business, Council adjourned at 7:40 P. M.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Installation Charges - Residential (1)

Initial installation, TV and/or FM, non-cabled premises	$ 15.00
Additional outlets, TV or FM, same, each	$ 10.00
Reconnect of discontinued service cabled premises	$ 10.00
Relocation of modification of outlet, TV or FM	$ 10.00

Monthly Service Charges - Residential (1)

Initial outlet, TV or FM	$ 6.00
Additional outlets, TV and/or FM, same premises, each	$ 1.00

Note:

(1) Definitions as contained in Ordinance to remain applicable.

Upon the assignment by A. E. Martin to TV Cable of Diboll, Inc., and acceptance of this Consent of Assignment by TV Cable of Diboll, Inc., the Code of Ordinances, City of Diboll, Texas, shall, as necessary, be amended to reflect the agreements contained herein.

Clyde Thompson

Clyde Thompson, Mayor of the City of Diboll, Texas

ATTEST:

Geneva Sides

Geneva Sides, City Secretary

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, March 17, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Beatrice Nogle, Richard Hendrick Charles Schmidt,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

None

Meeting was opened with prayer by Alderman Lawrence.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Nogle.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

City Manager Dover reported that the Flood Hazard Insurance affects the City in that the City does have a flood hazard area. He stated that since Federal money has been used in the Park, he recommends that the City participate in the Federal Flood Hazard Insurance Program. This will insure anyone building in the flood hazard area, which is mainly along White Oak Creek, to purchase flood insurance at a cheaper rate. Also, no other federal money could be expended in a flood area without this protection. Mayor Thompson then reported that representatives from Congressman Charles Wilson's office had met with him on this date to encourage the City to participate in the Program. After brief discussion, Nogle moved the City adopt a resolution to participate in this program. Second by Simms.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

City Manager reported that he felt that all Boards of the City should serve in an advisory capacity only. He elaborated on the functions of the Park and Recreation Board and the need to incorporate the revenues and expenditures with the General Fund of the City. He explained that a better control could be kept and, since

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City employees are responsible for the bookkeeping and records, that it would be easier for everyone involved. After considerable discussion, Nogle moved that the City should assume the responsibilities of the City Park and Golf Course, keeping all records and books at City Hall, but that other Boards remain as they are since the Library and Housing Authority operate almost independently of the City's funds. Second by Lawrence.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

Mr. Kelsie Roach, of Temple Associates, appeared before the Council to discuss policy for electricians that had been approved at the last meeting. He stated that he felt the fees recommended were too high and that a reciprocity agreement should be included. Mr. Scarborough presented a copy of his recommendations to the Council and, after discussion, Lawrence moved that Mr. Roach and Mr. Scarborough meet and work out a workable agreement so that the licensing process would not make an undue hardship on the electricians and would also benefit the City. Second by Nogle.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

Mr. Dover presented Estimate #1 from M. G. Moore Construction in the amount of $17,492.53 for work completed on the drainage improvements and recommended the Council approve apyment. Lawrence moved the Manager's recommendation be accepted. Second by Hendrick.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

City Secretary presented an invoice from Thomas and Thompson in the amount of $936.00 for a ten inch (10") outfall line at the City's new sewer plant. This line was necessary so that a portion of the old plant could be used. Hendrick moved the invoice be paid. Second by Lawrence.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

City Manager presented an invoice in the amount of $5,885.98 from J. F. Fontaine and Associates for engineering fees on sewer plant and improvements. This will need to be paid from the General Fund. Nogle moved this invoice be paid. Second by Simms.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

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Mr. Dover stated that a question has been raised as to whether the City will need a gradall after the drainage program is completed. He stated this is a machine that will clean the ditches. A new machine costs approximately $66,000. and a used one from $30,000. to $35,000. Mr. Dover reported that he has been offered a trade-in allowance on the City's dozer that is now used at the landfill in the amount of $35,150. However, if the County landfill operation did not work out, the City will again need a dozer. Alderman Nogle stated that she felt the City should definitely purchase a gradall: however, there were other comments on possibly renting one for a few months each year. After considerable discussion, Mayor Thompson appointed Alderman Schmidt to investiagate a used gradall since the majority of the Council did not feel the City could afford a new one at this time.

City Manager reported that the City has a 1969 model pickup that is beyond rapair and recommended the Council authorize him to assign the 1971 model now used by the Water and Sewer Department to the Environmental Department and purchase a new one for the Utilities Director. Nogle moved the Manager be authorized to receive bids on a new pickup. Second by Simms.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

Mr. Dover reported that the Water and Sewer Ordinance prescribes a meter deposit of $10.00. He stated that since the water and sewer rates were increased, this is no longer sufficient to cover a final bill. He recommended the Ordinance be amended to raise the deposit to $15.00. Simms moved the Manager's recommendation be accepted. Second by Nogle.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

City Manager reported that he is concerned with the number of fire calls made by the City outside the City Limits. He stated that he felt the Department's responsibility is to the taxpayers; however, they feel an obligation to answer calls outside the City, especially when a residence is involved. He stated that he feels the County should assist with this financially either in cash or another way. After considerable discussion, Simms moved that Mr. Dover make an analysis of the cost of these outside calls and present it to the Commissioner's Court. Second by Nogle.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

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City Manager reported that he had talked with Mr. Johnie Dominey of Texas Highway Department, regarding an agreement the City has entered into with the State for the replacement of curb and gutter and realignment of Hines Street near the Mill Street Crossing. The Highway Department will do the work and bill the City in the amount of approximately $14,000. Mr. Dover stated the agreement authorizing payment is being prepared in Austin and recommended the Council authorize Mayor and City Secretary to sign the proper documents and that the money be placed in escrow until needed. Lawrence moved Council accept the Manager's recommendation. Second by Simms.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

In other business regarding the Mill Street Crossing, Mr. Dover reported that the contractor would be here on March 19 to move what was left of the second house; the first house has already been moved. He stated he has given a deadline of Wednesday, March 19, for the removal of anything the buyers want, then the City will assume responsibility of clearing anything left on the property. He asked for permission to take the dozer and push the material up for the fire department to burn. Fire Chief Minyard, who was present, agreed that his department could do this. After discussion, Mayor Thompson instructed Manager Dover and Fire Chief Minyard to go over to the site together and make sure burning would not be dangerous.

City Manager reported that two design engineers have talked with him regarding improvements to the Municipal Building. He stated there is immediate need for Police and Fire Station improvements. Mr. Dover recommended the City employ Jerry Hill, with Wiener, Morgan, O'Neil and Hill, of Lufkin to make definite plans for improvements to present to the Council. He stated until the Council decides a definite direction, no cost estimates will be made. Mr. Hill will draw the plans contingent upon acceptance of them. Mr. Dover recommended the City plan for a separate Police and Fire Station and remodeling of the present facilities. After discussion, Nogle moved Mr. Dover be authorized to have Jerry Hill draw plans for the improvements. Second by Schmidt.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

City Secretary presented documents supporting Change Order #3 in the amount of $660.00 and Estimate #7 in the amount of $14,000.00 from Thomas and Thompson which had been passed at the last regular meeting. Lawrence moved the approval be ratified and execution be authorized. Second by Hendrick.

Voting Yes: Lawrence, Simms, Nogle, Hendrick and Schmidt

Voting No: None

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In other business, Manager Dover reported that the drainage contractors are working but progress has been slow due to the inclement weather.

There being no further business, Council adjourned at 7:55 P. M. upon motion by Lawrence.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, April 21, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James P. Simms, Richard Hendrick, Samuel Coleman,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Charles Schmidt,	Councilman

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Superintendent of Schools, Mr. Donald Robbins.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

Mr. Dover reported that a Tax Equalization Board needed to be appointed for the 1975 tax year. After brief discussion, Simms moved A. F. Vaughn, Milford Ruby and Dennis Maynard be reappointed to the Board of Equalization. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

City Manager reported that the terms of H. G. Stubblefield, Jr., Alan Miller and Willie Massey on the Housing Authority Board will expire this month. After brief discussion, Lawrence moved these three members be reappointed. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

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Mr. Dover stated that three (3) bids had been received on the purchase of one (1) 1975 pickup for the Water and Sewer Department. The bidders and their bids are as follows:

Angelina Cheverolet-Cadillac	$3,930.14
Greater Lufkin Ford	4,000.00
Gibbs Motor Company	4,042.00

After discussion, Council authorized Mr. Dover and Mr. Scarborough to review the bids and specifications and recommend the best bid for the City.

Mr. Dover stated he had received one (1) bid on the sale of a 1969 Chevrolet pickup. The bid was from J. W. Malcom in the amount of $225.00. Mr. Dover reported that the truck is of no use to the City because it is in need of such a great amount of repair and that no trade-in was offered on the purchase of the new truck. After discussion, Lawrence moved the City sell the truck to Mr. J. W. Malcom for $225.00. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

Manager Dover reported that he had met with the Commissioner's Court and requested assistance from the County on fire calls outside the City. Mr. Dover stated that he had asked for a minimum of $200. per fire which is about what it costs the City to make a call outside the City Limits. Mr. Dover further stated that he had asked for a decision by July 1, 1975 and Mr. Leon Tillman and Mr. Robert Colwell were appointed by the Court to study this request.

M. D. Scarborough stated that since the last meeting he has investigated further on the testing and licensing of electricians. He stated that after his talks with Mr. Kelsie Roach and officials with the City of Lufkin, he feels his recommendations are in line with other cities. After discussion, Council agreed that the City proceed with the testing and licensing as presented at the previous meeting.

Manager Dover reported that Burke Water Supply wants to sell the City a water line in the newly annexed Ryan Chapel area for $1,200. Mr. Dover stated that the line is worth only about $600. and unless the City can buy the line for this, he would not be in favor of the City purchasing it, but laying its own line. After discussion, Mr. Dover was authorized to make the offer for $600. again if Burke Water Supply wants to negotiate; otherwise the City will lay its own line.

City Secretary presented final estimate from Thomas and Thompson on the new sewer treatment plant in the amount of $27,686.30. After discussion, Hendrick moved that the payment be approved, that the proper documents be executed and that an appropriate

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ordinance be adopted authorizing such payment. Second by Lawrence.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

City Secretary presented final estimate from Leonard Hazel, Inc. for sewer collection lines in the amount of $17,918.46. After discussion, Lawrence moved that payment be made and that proper documents be executed and that an appropriate ordinance be adopted authorizing such payment. Second by Hendrick.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

Manager Dover presented final payment to engineer, Jerry Fontaine and Associates and bond attorneys, Dumas, Huguenin, Boothman and Morrow in the total amount of $5,000. He stated he would not recommend payment at this time because the engineer has not furnished the City wih an operations manual and a set of as built plans for the wastewater treatment plant. Council accepted the Manager's recommendation.

Major bills paid since the last regular meeting were presented for ratification. They are as follows:

East Texas Service - maintenance items for Water and Sewer Department - $470.81

Everitt Griffith and Associates - maps of revised City Limits and street maps - $284.00

Plains Machinery - parts for street sweeper - $405.30

Russ-Martin Fire Equipment - nozzles for fire truck - $426.66

Mr. Dover reported that after extensive effort in trying to find additional acreage for a sanitary landfill none has been secured. He stated the City has approximately two weeks left at the present site and then it will definitely have to be closed. Members of the Council expressed the pros and cons of moving to the county landfill located about ten (10) miles from Diboll. This will entail the need of another garbage truck since the present truck will not hold up to such use. Councilman Simms reported that he had gone with Director of Utilities, M. D. Scarborough, to look at a new truck and was very impressed with its operation. They had also investigated the use of plastic bags which Mr. Simms felt should be looked into further. Councilman Hendrick stated that he strongly favors a landfill within the City since the overflow of garbage and limbs will present a problem because so many people who are not on City garbage pickup use the dump area. After considerable discussion, Manager Dover was authorized to discontinue use of the present landfill and to enter a

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contract with Angelina County so that the City can use the County's landfill. This contract will contain a provision so that the City can terminate at any time should it begin operation of its own land fill at some future date. The City Manager was also instructed to continue efforts to locate a suitable site for a landfill to be used by the City.

In other business, Councilman Simms reported that he is not pleased with the rate increase in telephone rates since the telephone company did not send a representative before the Council to even try to explain the increase. Mr. Simms stated that he thought it would have been common courtesy although there is nothing the Council can do about the rate increase.

The Council discussed the blind spot created by cars parking in the last space on west end in front of Diboll Auto Parts. Councilman Simms said that motorists cannot see across the intersection at Hines and Hendrix when traveling north on Hendrix. After considerable discussion, Council agreed to put a "no parking zone" in one car space in front of Diboll Auto Parts. Mayor Thompson stated that a light is needed there, but that there is not enough traffic for the Highway Department to approve installing one. Mr. Dover reported that the City can install its own light at City expense.

Mr. Lynn Hill and Mr. Johnny Dominey of Texas Highway Department and about 30 citizens from Carter Drive and South Meadows Addition were present to discuss a proposal that would channel water from along Highway 59 into White Oak Creek. The Highway Department officials explained the two proposals.

1. The Highway Department would install and pay for putting three 30 inch culverts under Highway 59 in a natural drain from just south of Nogle Street across two vacant lots to Carter Drive. The City would then have to pay an estimated $15,000. for taking the water under Carter Drive on the short distance to White Oak Creek.

2. Lay large culverts down the west side of Highway 59 from Maynard Street about 1,000 feet to White Oak Creek. Estimated cost to the City will be approximately $45,000. to $50,000. and the Highway Department will not assist in this other than possibly with grading.

Several citizens in attendance spoke against the risk of diverting any more water onto their property by putting it into White Oak Creek. Councilman Simms explained that the Council had not had time to consider either of the proposals since they were presented in a letter to each member. He stated that the City will not solve one problem by creating another. After considerable discussion from citizens present, Mayor Thompson thanked them for their contribution and assured them that some definite direction will be taken as soon as the Council can meet with the

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engineer and discuss the proposals.

There being no further business, Council adjourned at 8:30 P. M.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a special meeting of the City Council of the City of Diboll, Texas, April 29, 1975 at 10:00 A. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
James Simms, Richard Hendrick, Charles Schmidt, Samuel Coleman,	Councilmen
James Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Calvin Lawrence,	Councilman

Also Present:

Jerry F. Fontaine,	City Engineer
Lynn Hill,	
Frank Gallaway,	

Mayor Thompson stated the purpose of the meeting was to try to decide the best solution to proceeding with drainage improvements in an effort to solve the problems the City now is facing with drainage.

Mr. Frank Gallaway, District Engineer for the Highway Department stated that his department would assist in whatever it could but there would not be any financial assistance. Mr. Gallaway stated that some equipment work can be offered if the work is on highway right-of-way, or if easements are secured.

Jerry Fontaine presented drawings that he had prepared on the drainage improvements along Highway 59, Nelson, Booker and Maynard Streets and explained the proposals. There was much discussion about the two proposals presented at the Council's regular meeting on April 21 when the citizens of the South Meadows and Carter Drive area strongly objected to routing water across Highway 59 into White Oak Creek. There was discussion concerning possibly sizing and installing culverts on South Meadows Drive and Maynard as a way of diverting the water. Council agreed that a different approach needs to be taken on the improvements.

After much discussion, Mr. Dover recommended that Council authorize Mr. Fontaine to revise the drainage improvement plans and that they be presented by June 1. Until that time the contractor should be taken off the job and not brought back in until he could be told exactly what to do. Hendrick moved that Mr. Fon-

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taine revise the plans by June 1 to the extent that they are approved and then present the proposal to the people at that time, if Council approves plans first. Second by Coleman.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

City Manager reported that he has received an EPA checklist which states that an amendment to the Industrial Wastewater Ordinance is needed in regard to language used on coloration of wastewater. Simms moved the Attorney be instructed to prepare this amendment. Second by Schmidt.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

City Secretary present a combination statement from Jerry F. Fontaine and Dumas, Huguenin, Boothman and Morrow. Mr. Fontaine's statement for engineering fees on the sewer plant and improvements amounts to $3,623.14. The bonding attorneys fee is $1,376.86 for a total of $5,000.00. This is combined so that it can be paid by a certificate of obligation. The financial advisor has prepared the necessary legal documents to make payment. Mr. Dover stated that the City needs the engineer to prepare an operations manual for the plant and proved a set of as-built plans. Mr. Fontaine stated that he will furnish these as soon as possible. After discussion, Hendrick moved that payment be approved in the amount of $5,000. Second by Coleman.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

There being no further business, Council adjourned at 11:50 A.M.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, May 19, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Richard Hendrick, Charles Schmidt,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Samuel Coleman,	Councilman

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Lawrence.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick and Schmidt

Voting No: None

Mr. Dover reported that he had submitted copies of the proposed Revenue Sharing budget to each Council member for consideration. He recommended that the total expected amount of $104,650. be applied to construction of a new fire and police station. The estimated cost of the new facilities will be between $200,000. and $250,000. After brief discussion, Lawrence moved the Manager's recommendation be accepted. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick and Schmidt

Voting No: None

Mr. Dover reported that in the traffic safety report given at a recent special meeting, sidewalks within subdivisions were recommended. Alderman Simms stated he feels this is an excellent idea and would strongly favor it. There was general discussion concerning the pros and cons of sidewalk installation. After discussion, Simms moved that City Attorney Sloan be instructed

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to draft an amendment to the City's street ordinance requiring sidewalks in new subdivisions and planned development for presentation at the next regular meeting. Second by Lawrence.

Voting Yes: Lawrence, Simms, Hendrick and Schmidt

Voting No: None

City Manager reported that the Golf Course is in need of a tractor-mower and a new pickup truck. He stated that the old truck is beyond repair. These items are not included in the budget; therefore the budget will need to be amended and an advertisement for bids be placed. Mayor Thompson stated that he did not feel the budget should be amended until bids are in, since the City may accept or reject any or all bids received. After considerable discussion, Lawrence moved that the City Manager be authorized to advertise for bids on these two items and then amend the budget at the next meeting should the bids be accepted. Second by Hendrick.

Voting Yes: Lawrence, Simms, Hendrick and Schmidt

Voting No: None

Mr. Dover reported that the Environmental Protection Agency has recommended an amendment to the City's Industrial Waste ordinance changing technical language regarding the coloration of waste water. He stated that City Attorney Sloan has prepared this amendment and recommended that it be passed and adopted. After discussion, Hendrick moved the amendment be passed and adopted. Second by Lawrence.

Voting Yes: Lawrence, Simms, Hendrick and Schmidt

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI, CHAPTER 8, SECTIONS 6-8001 (s) AND 6-8006 OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, REVISING THE METHOD OF COLOR MEASUREMENT, MODIFYING RATES FOR TRANSPORTATION AND TREATMENT OF INDUSTRIAL WASTE, AND CONTAINING A SAVINGS CLAUSE."

City Manager made the following reports to the Council.

1. Reported that in two weeks time the City has hauled about 72 tons of garbage to the county landfill. This indicates an average monthly charge of $525. not including wear and tear on the truck.

2. Reported that the County Commissioner's Court will not consider paying the City anything for calls made outside the

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City Limits, but will consider it in the next county budget which begins in October.

3. Reported that the Texas Forest Service has emergency funds that could be dispensed for the purchase of a firefighting unit similar to the City's Ford fire truck. He stated the City could receive $10,000. provided it could match this money. This would amount to a 50% grant. Mr. Dover recommended that the City decline the offer at this time. Council accepted the Manager's recommendation.

4. Reported that the City's application for flood insurance has been approved and citizens could now purchase the insurance. The notice has been published in The Free Press and anyone can purchase the insurance within the first thirty days without a waiting period.

The following major bills paid since the last regular meeting were presented for ratification.

Oscar R. Crawford - $2,096.00 - Ryan Chapel sewer extension
Moore Construction - $32,670.95 - Estimate #2, drainage

Alderman Hendrick then suggested that the City let the Commissioner's Court know how much each fire call outside the City Limits is actually costing each time the fire truck leaves the City. After discussion, Hendrick moved bills be sent to the Commissioner's Court between now and October so the county can get an idea of what future costs may be. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick and Schmidt

Voting No: None

Manager Dover reported that a representative for Pak-Mor Manufacturing had brought a garbage truck to Diboll for a demonstration and that Council members had watched its operation. He stated that the City will need a truck shortly since refuse is being taken to the county landfill because the present truck will not hold up to the wear. After discussion, Simms moved the manager be authorized to advertise for bids on a refuse body and truck and also containers for collection at various places within the City. The containers may be bought individually according to cubic yard size. Second by Lawrence.

Voting Yes: Lawrence, Simms, Hendrick and Schmidt

Voting No: None

City Attorney Sloan presented an amendment to the Electrical Installations ordinance for Council approval. After brief discussion, Simms moved the amendment be adopted. Second by Hendrick.

Voting Yes: Lawrence, Simms, Hendrick and Schmidt

Voting No: None

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The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI, CHAPTER 4, SECTIONS 6-4007 AND 6-4009 OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, MODIFYING THE FEE FOR THE LICENSING OF ELECTRICIANS, REQUIRING A QUALIFICATION EXAMINATION OR A VALID ELECTRICIAN"S LICENSE ISSUED BY THE CITY OF LUFKIN, TEXAS, BEFORE A LICENSE IS GRANTED, AND CONTAINING A SAVINGS CLAUSE."

In other business, Council agreed that the footbridge across a ditch leading to White Oak Creek and used by high school students should be removed. Mr. Dover pointed out that this is private property owned by Sabine Investment and the owner should be notified before removing the bridge. After discussion, Simms moved Sabine Investment be contacted concerning the bridge and also the Highway Department be contacted regarding a properly marked crossing for the students. Also, Superintendent of Schools should be contacted so that an announcement could be made informing the students of the proper crossing. Second by Hendrick.

Voting Yes: Lawrence, Simms, Hendrick and Schmidt

Voting No: None

Manager Dover reported the portion of Winder Street between Nolan Hall and Jim Nethery will be repaired when the Street Superintendent has completed investigation of the most feasible way of improvement.

There being no further business, Council adjourned at 7:00 P.M. upon motion by Lawrence.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, June 16, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Richard Hendrick, Samuel Coleman, Charles Schmidt,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Manager Dover.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mr. H. G. Stubblefield, Jr., President of Sabine Investment, appeared before the Council to oppose a proposed ordinance that would require installation of sidewalks within a subdivision. Mr. Stubblefield stated that the main objection is the cost factor which would amount to approximately $600. to $800. additional cost to the purchase of a lot. He further stated that he could not find any cities in the state that required sidewalks in subdivisions. Several other citizens including R. H. Duncan, who builds between twenty and thirty homes a year in Diboll, spoke against the ordinance. The general feeling among those present was that developers would have to drastically cut back on future building in Diboll. Alderman Simms, who first proposed the ordinance, stated that he or any of the members of the Council did not want to do anything that would stop progress in Diboll. After considerable discussion, Lawrence moved that the passing of a sidewalk ordinance be tabled until a later time and no official

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action be taken. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mr. J. B. Manning, Manager of Texas Power and Light, appeared before the Council to request a rate increase. Mr. Manning stated that he wanted to talk about three main topics that had to be considered as the reason for the request. These are fuel, facilities and finance. Mr. Manning presented graphs and charts that showed the rising costs of operation. The increase would amount to 11% and would be effective October 1, 1975. After the presentation, there was general discussion concerning the justification of the increase. After the discussion, Lawrence moved that the Council take the request for a rate increase under advisement. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mr. Lynn Montes, Certified Public Accountant with the firm of Axley and Rode, appeared before the Council to explain the first budget report as prepared by the NCR 399. Mr. Montes stated that a conversion of the bookkeeping has been made and, although there are still problems in some areas, the machine will be able to do more than what the City even requires at this time. Mr. Montes stated that he will be present at the next regular meeting to give a report after all the books are done completely by the machine.

Mr. Dover stated that he has received two bids on a garbage truck. The bidders and their bids are as follows:

Gibbs Motor Company	(caterpillar engine)	$20,637.30
Gibbs Motor Company	(Detroit Diesel)	$19,960.25
Greater Lufkin Ford		$18,165.00

After considerable discussion, Manager Dover recommended the City award the bid to Greater Lufkin Ford. Schmidt moved the Council accept the Manager's recommendation. Second by Hendrick.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

One bid was received on the purchase of a refuse body.

Pak-Mor Manufacturing	$10,560.00

Mr. Dover explained that this is the same type truck that was demonstrated by Mr. Creig Escoe several weeks ago. Mr. Escoe,

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who was present, discussed with the Council the operation of the refuse body and the containers that are needed in its operation. The container costs are as follows:

2 cubic yard	$210.00 each
3 cubic yard	$235.00 each
4 cubic yard	$253.00 each

After discussion, Simms moved that the City purchase the Pak-Mor body and thirty (30) 4 cubic containers at a cost of $253.00 each. Second by Schmidt.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mr. Dover stated that two bids have been received on the purchase of a ½ ton pickup for the golf course. The bidders and their bids are as follows:

Greater Lufkin Ford	$3,655.50
Gibbs Motor Company	$3,418.48

Mr. Dover stated that the golf course is now using a Toro Groundmaster as a demonstrator and that one bid has been received on a tractor-mower. The bid is for a Toro Groundmaster from Goldthwaite's in the amount of $4,550.00. Mr. Dover stated this company had quoted a price of about $3,800.00. After much discussion, Hendrick moved that, since Goldthwaite's had quoted this price, the purchase of the tractor be tabled until an investigation is made concerning the increase in cost. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

The Council discussed the possibility of the City obtaining a landfill site. Mr. Dover stated that he and Mr. Kenneth Nelson, of Temple Industries, have looked at some possible sites, but these will have to be approved by EPA and the State Health Department. At this time they have not been evaluated.

Mr. Dover stated that a resolution needs to be adopted appointing a representative to the Deep East Texas Council of Governments. Mayor Thompson is now the representative. Lawrence moved that Mayor Thompson be reappointed to serve as the City's representative. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

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There being no further business, Council adjourned at 8:25 P. M. and immediately went into an executive session to discuss personnel matters.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a special meeting of the City Council of the City of Diboll, Texas, June 17, 1975 at 3:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, Charles Schmidt, Richard Hendrick,	Councilmen
James Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Samuel Coleman, James Simms,	Councilmen

Also Present:

John Sloan,	City Attorney
Jerry F. Fontaine,	City Engineer

Mayor Thompson stated the meeting had been called to hear the engineer report on the revised drainage plans for the City. Mr. Fontaine then explained that he has completely redone the plans for the Nelson Street area. This will call for diverting water down each side of Nelson and down the south side of Nogle to Highway 59. Mr. Fontaine presented a rough sketch of a proposed grasslined ditch for Nelson Street, but said that completed plans will be brought on Wednesday. The plans will call for larger structures under Maynard at the intersection and for larger pipes under South Meadows Drive at the entrance of South Meadows Addition. However, no conclusions were drawn on what will be done at Maynard and Highway 59.

Mr. Leo Hearne, Street Superintendent, stated that he feels the suggested slope for the grasslined ditches will be a traffic hazard. There was considerable discussion concerning this factor.

Mr. Hearne further stated that change orders on the work already done amounts to $23,000. He stated he has no orders on paper to substantiate these changes. Mr. Fontaine stated that he was working under the direction of the City Manager and had called for changes on a verbal agreement. He explained that M. G. Moore Construction will come back and at its own expense revamp the work at the intersection of Maynard and South First Street which is anything but satisfactory at this time. He explained that the proposed concrete line ditch here will be investigated first to see if it will work.

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Mr. Hearne discussed with the Council and the Engineer the easements that need to be secured on the property affected by the drainage program. Mr. Hearne stated that he would like to know who is responsible for obtaining the easements since there appeared to be confusion concerning this. Mr. Fontaine stated that at an earlier meeting, City Councilmen and Mayor Thompson had agreed to secure the easements.

Mr. Hearne further asked the engineer to furnish the City with his original contract so that the items that have been completed could be checked off.

There was considerable discussion concerning the phases of the drainage program, but no official action was taken by the Council.

There being no further business, Council adjourned at 4:45 P.M.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, July 21, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
James Simms, Calvin Lawrence, Richard Hendrick, Samuel Coleman, Charles Schmidt,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Coleman.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Simms.

Voting Yes: Simms, Lawrence, Hendrick, Coleman and Schmidt

Voting No: None

J. F. Fontaine, City Engineer, appeared before the Council to report that he was present to answer any questions concerning the plans that were approved at the July 15, 1975 meeting for the drainage improvements. After general dicussion, Simms moved the drainage work begin immediately subject to the necessary easements being obtained. Second by Lawrence.

Voting Yes: Simms, Lawrence, Hendrick, Coleman and Schmidt

Voting No: None

The drainage improvements will include Nogle, Nelson, and Maynard Streets and Highway 59 and Devereaux.

Mr. James Love, President of T. L. L. Temple Library Board, appeared before the Council to request an increase in the City's allocation of funds for the library. The City allowed $5,000. in its present budget and Mr. Love requested this be raised to

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$6,000. for the coming year. He also discussed the operation of the library and the reason the increase is needed. He stated the cost of books has greatly increased and that a new air conditioning unit had to be installed. After brief discussion, Simms moved $6,000. be set up in the next budget for T. L. L. Temple Memorial Library. Second by Coleman.

Voting Yes: Simms, Lawrence, Hendrick, Coleman and Schmidt

Voting No: None

Councilman Simms stated that he would like to table his motion made at the April 21, 1975 meeting to eliminate one parking space at the northwest corner of Diboll Auto Parts. He stated that he has talked with Mr. Billy Griggs, owner of the building, and that every effort will be made to keep obstructions away from the building so that the approach to Hines Street from the south on Hendrix Street will be clear. Mr. Simms reported that in view of this he felt a "no parking" zone should not be established at this time. After discussion, Council agreed to take no further action on the parking space at this time, and have a white line painted on Hendrix Street at the south edge of Hines Street.

Manager Dover reported that for some time the City has been picking up limbs and brush and grinding them with the brush chipper. He stated the work load of this operation is becoming greater each week because of the volume of trees that are being cut and left for the chipper. He recommended that the City begin charging for this service at the rate of $12.50 per hour, but that 0 to 25 minutes be free of charge. This will enable the City to still chip small limbs and brush at no cost since the average time on each is fifteen minutes. After discussion, Lawrence moved the Council accept the Manager's recommendation. Second by Coleman.

Voting Yes: Simms, Lawrence, Hendrick, Coleman and Schmidt

Voting No: None

City Secretary presented an ordinance authorizing issuance of $107,500. waterworks and sewer system Junior Lien refunding bonds for Council consideration. After discussion, Lawrence moved the ordinance be adopted and necessary legal documents be executed. Second by Coleman.

Voting Yes: Simms, Lawrence, Hendrick, Coleman and Schmidt

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS, AUTHORIZING THE ISSUANCE OF $107,500 "CITY OF DIBOLL, TEXAS, WATERWORKS AND SEWER SYSTEM JUNIOR LIEN REVENUE REFUNDING

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BONDS, SERIES 1975," DATED JANUARY 1, 1975, FOR THE PRUPOSE OF REFUNDING, CANCELLING AND IN LIEU OF AN AMOUNT OF VALID AND OUTSTANDING INDEBTEDNESS OF THE CITY OF DIBOLL, TEXAS; MAKING PROVISION FOR THE PAYMENT AND SECURITY OF SAID BONDS; MAKING PROVISIONS INCIDENTAL AND RELATED TO THE SUBJECT AND PURPOSES OF THE ORDINANCE; AND DECLARING AN EMERGENCY."

Manager Dover reported that Pak-Mor Company needs confirmation on a color for the garbage collection containers that have been ordered. Several colors were discussed including white, lime-yellow, and green. After discussion, Simms moved the containers be painted dark green with white lettering. Second by Schmidt.

Voting Yes: Simms, Hendrick, Coleman and Schmidt

Voting No: Lawrence

In other business, Council discussed various street repairs which need to be made.

Attorney John Sloan cautioned the Council regarding the open meeting law stating that no action should be taken on items not included on the posted agenda.

Alderman Simms reported that he would like to investigate the possibility of the City going to the plastic bags system for garbage pickup. After Council discussion, Manager Dover stated he would investigate the cost of plastic garbage bags and report at the next meeting.

Alderman Simms also requested that Department Heads be present at each Council meeting.

Manager Dover explained that a request for annexation has been presented to the City by Sabine Investment for the Shannan Forrest subdivision and that a public hearing needs to be set. After brief discussion, Lawrence moved the hearing be set for August 4, 1975 at 6:00 P. M. and that plans for a new police and fire station be viewed at that time. Second by Hendrick.

Voting Yes: Simms, Lawrence, Hendrick, Coleman and Schmidt

Voting No: None

There being no further business, Council adjourned at 7:30 P. M.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, August 18, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

James Simms, Mayor Pro-Tem

Charles Schmidt,
Samuel Coleman, Councilmen
Richard Hendrick,

Members Absent:

Clyde Thompson, Mayor
Calvin Lawrence,

Also Present:

James E. Dover, City Manager
Geneva Sides, City Secretary
John Sloan, City Attorney

Meeting was opened with prayer by John Sloan.

Schmidt moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Schmidt, Coleman and Hendrick

Voting No: None

Mayor Pro-Tem Simms requested that anyone present who opposed the annexation of 54.415 acres of land located in the J. R. Chevano Survey, to the east City Limits to please come forward and state their objections. No one appeared to oppose the annexation and the Mayor Pro-Tem instructed the City Attorney to prepare the ordinance necessary to annex the land at the next meeting of the Council on September 3, 1975.

City Manager passed out plastic garbage bags proveded by Adams Industries. He stated the cost is 6¢ a bag, coming in rolls of fifty (50) bags each. Mr. Dover reported that he has talked with Haynes Stokes with the City of Lufkin concerning the bag system now being used in Lufkin. Mr. Stokes stated the City is saving time on the garbage pick up and he feels the system has been successful. Based on the number of present customers, this sytem would cost the City approximately $15,000. a year. After considerable discussion, Hendrick moved the discussion be tabled

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until January 1, 1976. Second by Coleman.

Voting Yes: Schmidt, Coleman, and Hendrick

Voting No: None

Mr. Dover stated that he, Mayor Thompson, Alderman Coleman and Mr. Hearne had met with a representative from J. F. Fontaine and Associates and the drainage contractor. He reported that work should resume on the improvements by August 25, 1975. All easements have been secured with the exception of one on Devereaux Street on property owned by Leon Grumbles.

Mr. Dover reported that Mr. Shepherd representing the Booster Club, had called him regarding the operation of the swimming pool at Whispering Pines Park. He stated the Booster Club has requested the City to purchase ten (10) cases of HTH (powdered chlorine) which is already on hand, at a cost of $57.50 per case. At an earlier time the City had indicated it would assume responsibility of the swimming pool and in view of this, should purchase the chlorine. City Manager suggested the possibility of building a larger pool if the City assumes operation. There was general discussion regarding this. After discussion, Council agreed to meet and talk with Booster Club representatives concerning the fundamentals of operation of the swimming pool. Hendrick then moved the City purchase the ten (10) cases of HTH. Second by Schmidt.

Voting Yes: Schmidt, Hendrick and Coleman

Voting No: None

City Manager reported that he had talked with Mayor Thompson about setting a time for a clean-up campaign and the Mayor agreed that a clean-up week should be proclaimed. After brief discussion, Coleman moved the week of September 29--October 3 be set as clean-up week and that Mayor Thompson be authorized to issue a proclamation. Second by Hendrick.

Voting Yes: Schmidt, Hendrick and Coleman

Voting No: None

City Manager stated the rough copy of the proposed budget for the fiscal year 1975-76 is now ready for Council review. After brief discussion Coleman moved that a workshop be set for Tuesday, August 26, 1975 at 7:00 P. M. Second by Hendrick.

Voting Yes: Schmidt, Hendrick and Coleman

Voting No: None

There being no further business, Council adjourned at 7:00 P. M.

James P. Thompson
MAYOR

ATTEST: Geneva Sides

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Minutes of a special meeting of the City Council of the City of Diboll, Texas, September 3, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
James Simms, Calvin Lawrence, Richard Hendrick, Charles Schmidt,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Samuel Coleman,	Councilman

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Lawrence.

Mayor Thompson introduced an ordinance annexing 54.415 acres of land out of the J. R. Chevano Survey, Abstract 10, to the east City Limits. This land is owned by Sabine Investment Company. After brief discussion, Lawrence moved the City adopt the ordinance annexing the land and placing it in a Planned Development Zone. Second by Simms.

Voting Yes: Simms, Lawrence, Hendrick and Schmidt

Voting No: None

Mr. Jerry Hill, architect with Wiener, Morgan and O'Neil of Lufkin, appeared before the Council with preliminary drawings of a proposed safety building to house the fire and Police Departments and to remodel the present facilities. Mr. Hill explained the plans as to size, furnishings and materials to be used. The building will be approximately 8,800 square feet and the estimated cost of the building, furnishings, parking lot and remodeling of present City Hall will cost between $350,000. and $400,000. After considerable discussion, Mr. Hill was instructed to make a cost estimate and Mr. Dover was instructed to check with Farmers Home Administration regarding a loan that may be secured.

The Council then held a workshop for the proposed budget for the fiscal year 1975-76.

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There being no further business, Council adjourned at 10:05 P.M.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, September 15, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
James Simms, Calvin Lawrence, Samuel Coleman, Richard Hendrick, Charles Schmidt,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Coleman.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Simms, Lawrence, Coleman, Hendrick and Schmidt

Voting No: None

City Manager reported that the City has four vehicles that are no longer serviceable. This includes three army surplus jeeps and a pickup that was used at the golf course. Mr. Dover asked permission to hold a public auction within the next few weeks to dispose of these vehicles. He stated that the house owned by the City on the lot behind City Hall is now vacant and he would recommend the City advertise for bids for the house to be either torn down or moved from the premises. After discussion, Lawrence moved the Manager's recommendation be accepted. Second by Coleman.

Voting Yes: Simms, Lawrence, Coleman, Hendrick and Schmidt

Voting No: None

The City Manager reported that before the sewer collection line improvements were started in the North City Limits, easements were secured from all property owners. He stated that an easement had been secured from Marvin Baker to cross his property

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between the old highway and Highway 59. A portion of the property owned by Mr. Baker was sold to Paul Hileman, and the sewer line was installed on that portion of the property sold to Mr. Hileman. It was brought out that Mr. Baker contends the site of the proposed sewer line was on the property on which he granted an easement, but the sewer line when actually installed was placed on the Hileman property. Mr. Hileman does not wish to give the City an easement. Mr. Dover stated that Mr. Hileman at first had asked the City to remove the sewer line, but later asked for reimbursement for damages to his property. Mr. Dover reported that he had offered Mr. Hileman $1,000.00 in full payment for the easement since this is approximately what it would cost to relocate the line, but Mr. Hileman declined the offer. Mayor Thompson asked Attorney Sloan to give a legal opinion concerning this. Mr. Sloan stated that if the City moves the line and restores the property to its original state, only nominal damages could be claimed by Mr. Hileman since the property would be restored to its original condition and no improvements would be damaged by the location or re-location of the sewer line.

After much discussion, Lawrence moved the City Manager offer Mr. Hileman $1,000.00. The motion died for lack of a second. After further discussion, City Manager recommended that he talk with Marvin Baker to determine if the City could obtain an easement to relocate the sewer line on his property before a settlement be made and report on this at the meeting set for September 23, at 7:00 P. M. Council accepted the recommendation.

There being no further business, Council adjourned at 6:40 P. M.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, October 20, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Richard Hendrick, Samuel Coleman, Charles Schmidt,	Councilmen
James Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Lawrence.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mr. Billy F. Carrier appeared before the Council to ask for an extension of time in connecting his business, Diboll Muffler Shop, onto sanitary sewer. Mayor Thompson explained to Mr. Carrier that no action could be taken since he had not requested this item be placed on the agenda. Mr. Carrier was advised that Council would consider this but that he would need to contact the City Secretary before the next regular meeting so that the item could be placed on the agenda.

Mr. Ed Ross scheduled to present a program on alcoholism was not present at the meeting so the program was not discussed.

Mr. Bill Gentry representing CATV Cable Television was present to report on the local cable service. Mr. Gentry outlined several expansions that have been made since the new franchise was granted earlier this year. However, Mr. Gentry could not say when cable service will be available to all citizens inside the City Limits. There was some discussion from citizens present who live inside the City and do not have cable service. Mayor

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Thompson stated that he understood that the cable company would offer service to everybody inside the City Limits before going to the surrounding areas. Some people outside the City have already been connected while some inside have not. Mr. Gentry explained that in some areas it is just not feasible to run the cable. After considerable discussion, Mayor Thompson asked Mr. Gentry to prepare a map showing present service lines and indicating what the company intends to do about offering service to the sparsely populated areas in the City. Mr. Gentry explained that he is now working on the map and will present it at the earliest possible time.

Mayor Thompson presented a resolution authorizing return of .0306 acre of surplus land to Temple Industries not needed in the improvement of the Mill Street crossing. After brief discussion, Lawrence moved the resolution be passed and adopted. Second by Simms.

Voting Yes: Lawrence, Simms, Coleman, Hendrick and Schmidt

Voting No: None

A copy of the resolution is on file in the office of the City Secretary.

City Manager reported that on October 14, 1975, Alderman Simms, Coleman and he had attended a City Council meeting in Waco. This meeting was to hear the report by Touche-Ross on a rate request from Texas Power and Light Company. He stated that the Company had requested a 10.6% increase, the report suggested an 8.2% increase and the City of Waco had voted to compromise and grant a 9.6% increase. Mr. Dover stated that several experts on the subject were heard and there was much deliberation on the reasons the increase is needed. Alderman Simms reported that he is not satisfied with the 9.6% should the City of Diboll approve this, since this is not the actual increase. He stated that in some instances, the increase will amount to 17 or 18% and that at no time was anything mentioned about how this increase will affect the citizens. Mr. Simms elaborated on his disapproval of the increase. Mr. Coleman also reported on different points of the meeting. After much discussion, Mayor Thompson stated that Texas Power and Light Company will be on the agenda at a later time.

City Manager reported that he had received two bids on the purchase of a motorgrader. The bidders and their bids are as follows:

George P. Bane, Inc.	$16,500.00
Holman-Bennett-Phillips	37,000.00

Both of these bids included a trade-in allowance on the present motorgrader. Mr. Dover stated that the specifications on the bid from Holman-Bennett-Phillips were above what the City needs and he had polled the Council on accepting the bid from George P. Bane, Inc. and would like to have his action ratified. Lawrence

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moved the bid from George P. Bane, Inc. be approved and Manager Dover's accepting the bid be ratified. Second by Coleman.

Voting Yes: Lawrence, Simms, Coleman, Hendrick and Schmidt

Voting No: None

Mayor Thompson stated that he has been approached by the President of the Humane Society of Angelina County, in Lufkin, and asked for the City's donation to be increased from $500. a year to $1,000. City Manager stated that at the present time he did not recommend the increase but that perhaps in nine or ten months it could be looked into again. There was considerable discussion on how many dogs were taken to the Society and the benefits the City of Diboll derives from the Shelter. After much discussion, Alderman Lawrence moved that the City pay the $500. now and review the request again in six months. Second by Schmidt.

Voting Yes: Lawrence, Simms, Coleman, Hendrick and Schmidt

Voting No: None

City Manager Dover reported that Moore Brothers Construction, of Lufkin, has completed the street paving on Hendrix, Fogg and Cypress Streets. He stated the work was to City specifications and the final estimate was $27,828.75 which is under the contract price. Mr. Dover stated that payment has been made which needs to be ratified. Hendrick moved that the payment be ratified. Second by Lawrence.

Voting Yes: Lawrence, Simms, Coleman, Hendrick and Schmidt

Voting No: None

Mayor Thompson stated that he had given considerable thought to the appointments that need to be made on the Planning and Zoning Commission. The terms expired are those of Paul Durham, Joe Denman, Jr. and H. G. Stubblefield, Jr. Mr. Thompson recommended that Gary Hurley and Ted Miller be appointed replacing Paul Durham and H. G. Stubblefield, Jr., who do not wish to be reappointed, and that Joe C. Denman be reappointed. He also recommended C. H. Shepherd, Jr. be appointed as chairman. Lawrence moved the Council accept Mayor Thompson's recommendations. Second by Coleman.

Voting Yes: Lawrence, Simms, Coleman, Hendrick and Schmidt

Voting No: None

City Manager presented Estimate #3 from Moore Construction in the amount of $23,175.00 for drainage improvements. He stated that he has reviewed the estimate with Street Superintendent Hearne and all items were accepted with the exception of $4,000. for clearing and grubbing near the football field which has not

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been completed and was deducted from the estimate. After brief discussion, Schmidt moved the estimate be paid in the amount of $23,175.00. Second by Hendrick.

Voting Yes: Lawrence, Simms, Coleman, Hendrick and Schmidt

Voting No: None

There being no further business, Council adjourned at 7:00 P. M. and went immediately into an executive session to discuss a personnel matter.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, November 17, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Calvin Lawrence,	Mayor Pro-Tem
James Simms, Richard Hendrick, Samuel Coleman, Charles Schmidt,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Clyde Thompson,	Mayor

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Hendrick.

Simms moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mr. J. B. Manning, Manager of Texas Power and Light Company, appeared before the Council to again request Council approval of a rate increase. Mr. Manning stated that several months ago, he appeared to request an 11% increase but found that Texas Power and Light was being investigated and Council wanted to wait until Touche-Ross completed the study and made its recommendation.

Mr. Manning stated that he was advised that the rate request would not be considered until a meeting was held in the City of Waco on October 22, 1975. He explained that after much deliberation at that meeting, the City of Waco had approved a 9.6% rate increase. The Touche-Ross report had justified an 8.2% and Texas Power and Light had requested an 11%. He stated that 239 cities out of 247 that are served by Texas Power and Light have now approved the rate increase. Mr. Manning then presented the proposal that the City of Diboll consider a rate increase reduced from the original 11% to 9.6%, and adopt the fuel adjustment clause as presented in the rate schedule on file with the

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City. There was much discussion on the increase from how the rate is applied and how it is averaged. Councilman Simms offered his objections to the increase since he feels that in some instances, rates will be increased as much as 17%. He stated he feels some increase is needed and justified, but that he could not agree with the amount requested. After much discussion and questions and answers, Alderman Coleman moved that Texas Power and Light be granted a 9.6% increase and that the proper ordinance be adopted. Second by Schmidt.

Voting Yes: Schmidt, Coleman and Lawrence

Voting No: Simms and Hendrick

Alderman Hendrick then stated that he feels an increase is needed and justified, but that in all fairness to the citizens who oppose the increase, he could not approve the increase.

Mr. John Ross with the Deep East Texas Council of Governments, was present to explain an Employee's Assistance Program for the City employees. Mr. Ross stated the program is to assist any employee who may have problems, such as alcoholism, drug abuse and others. He stated that his agency will furnish counseling free of charge and this will give the Department Heads more time on the job. City Manager Dover stated that he has talked with officials at City of Lufkin where the program has been initiated and found it to be working very well. He recommended the City initiate the program and amend its personnel policy to include the policy and procedures of the program. After discussion, Simms moved the Manager's recommendation be accepted. Second by Hendrick.

Voting Yes: Schmidt, Coleman, Hendrick and Simms

Voting No: None

Manager Dover stated that several people have been asking that copies be made on the City's Xerox machine. He stated that the cost of these copies have increased so that a fee needs to be set to cover the cost. He stated that in order to charge a fee an ordinance has to be adopted. He recommended that $.25 per copy be charged and that an ordinance authorizing this be adopted. After brief discussion, Hendrick moved the Council accept the Manager's recommendation. Second by Schmidt.

Voting Yes: Schmidt, Coleman, Hendrick and Simms

Voting No: None

Mr. Dover stated the terms of Ray Faircloth, A. B. Conner and Kelsie Roach on the Board of Adjustments and Appeals have expired and appointments need to made. After brief discussion, Hendrick moved

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that Faircloth, Conner and Roach be reappointed. Second by Simms.

Voting Yes: Schmidt, Coleman, Hendrick and Simms

Voting No: None

Mr. Dover reported that the terms of Earnest Huizar, Deloris Groom and Milford Ruby on the Park and Recreation Board have expired. Alderman Simms also pointed out that Joe Elliott is no longer eligible to be a member since he has moved from the City. After discussion, Schmidt moved that Earnest Huizar and Milford Ruby be reappointed and that Nan Miller be appointed to replace Deloris and that no action be taken on the replacement of Joe Elliott since this had not been placed on the agenda and the term is not expired. Second by Coleman.

Voting Yes: Schmidt, Coleman, Hendrick and Simms

Voting No: None

Mr. Dover stated that an ordinance needs to be passed authorizing payment of $232,000.00 certificates of obligation plus interest to Diboll State Bank. This is a portion of the cost of the wastewater treatment plant and collection lines. He reported that $107,500.00 Junior Lien Bonds had been issued on November 6, 1975, and that $2,500. was paid from the revenue fund of the City. After brief discussion, Hendrick moved an ordinance authorizing payment be adopted. Second by Schmidt.

Voting Yes: Schmidt, Coleman, Simms and Hendrick

Voting No: None

The caption of the ordinance is as follows:

"An ordinance amending Part IV, Chapter 2, of the Code of the City of Diboll, Texas, 1973, authorizing the payment of and cancellation of certain certificates of obligation issued by the City of Diboll, Texas; and declaring an emergency."

City Manager reported that estimated cost of a public safety building and remodeling of the present City Hall is $383,000.00. He stated that nothing has been done toward beginning, awaiting comments from the public. However, he feels the longer the City waits, the more the improvements will cost. There was considerable discussion concerning the proposed fire and police station with Council members objecting to the cost. Alderman Hendrick stated that possibly a steel building could be erected for $125,000.00. Alderman Schmidt asked if it were possible for the City not to have a jail. Chief Wolf stated this would be impractical since 450 subjects have been held during this year. He stated this would mean additional officers and also would be extra wear and tear on the cars. After considerable discussion, Coleman moved that a budget not to exceed $200,000. be

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set and that alternate plans be made for the police and fire station and that the City Manager be authorized to contact the architect and work out alternate plans. Second by Schmidt.

Voting Yes: Schmidt, Coleman, Simms and Hendrick

City Manager reported that he had advertised for bids on the frame house owned by the City, but none were received. He stated that he would like authorization to re-advertise since the house needs to be moved. After brief discussion, Hendrick moved that Mr. Dover be authorized to re-advertise for bids. Second by Coleman.

Voting Yes: Schmidt, Coleman, Simms and Hendrick

Voting No: None

Mr. Dover reported that Mr. Billy F. Carrier had requested the City give him an extended time to connect his business onto sanitary sewer. He stated that according to the City's ordinance, within sixty (60) days after sewer is available, the property must be connected. He stated that sewer has been available to Mr. Carrier for over a year and that he has been given two notifications requesting that he connect or have his water disconnected. At this time no action has been taken. Mr. Dover stated that the purpose of the ordinance will be defeated if exceptions of this nature are permitted. City Manager recommended that the request be denied. After discussion, Simms moved that Mr. Dover's recommendation be accepted. Second by Coleman.

Voting Yes: Schmidt, Coleman, Simms and Hendrick

Voting No: None

Alderman Hendrick reported that the First Baptist Church would like to erect a sign on City property at the corner of Judd and Highway 59. This sign was originally at this intersection until Western Auto was built and it had to be taken down. After brief discussion, Hendrick moved permission be granted to First Baptist Church to erect a sign that can be moved at any time if necessary. Second by Coleman.

Voting Yes: Schmidt, Coleman, Simms and Hendrick

Voting No: None

City Manager announced that a meeting of Texas Municipal League Region 16, will be held in Lufkin on November 20, 1975 at 6:30 P.M. at Hotel Angelina and urged all Council members to attend.

Mr. Dover reported that meetings have been set for December 1 and December 15, 1975 at City Hall to hear input from citizens on a Community Block Grant. These meetings must be held prior

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to an application being submitted to Housing and Urban Development.

There being no further business, Simms moved the meeting adjourn at 7:40 P. M. Second by Coleman.

Voting Yes: Schmidt, Coleman, Simms and Hendrick

Voting No: None

Calvin Lawrence
MAYOR - PRO-TEM

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, December 15, 1975 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
James P. Simms, Samuel Coleman, Richard Hendrick,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Calvin Lawrence, Charles Schmidt,	Councilmen

Also Present:

John B. Sloan,	City Attorney

Meeting was opened with prayer by Manager James Dover.

Simms moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

City Manager Dover stated that public hearings had been held on December 1 and December 8, 1975 to hear citizen input concerning the City applying for a $100,000. Community Block Grant from Housing and Urban Development. Mr. Dover stated that several needs were discussed, but seemingly the greatest need is for sewer line extensions and improvements. Council members agreed that this is the most pressing need at this time. After considerable discussion, Simms moved the Council adopt a resolution so that a formal application could be made requesting a grant for sewer line extensions and improvements. Second by Hendrick.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

City Manager stated that on November 24, 1975, a public hearing was held by the Planning and Zoning Commission to hear the pros and cons of a zone change in the north City limits. The zone change is requested by R & S Developers to change the property

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from a PD Zone to a C-2. Planning and Zoning Chairman, C. H. Shepherd, by letter, has advised that the Board unanimously approved the zone change and recommended the Council amend the City's zoning ordinance for the change. After discussion, Simms moved the Council accept the recommendation of the Planning and Zoning Commission and amend the zoning ordinance. Second by Coleman.

Voting Yes: Coleman and Simms

Voting No: None

Abstain: Hendrick

At this time Attorney John Sloan pointed out that since Alderman Hendrick is an interested party and abstained from voting, that he would recommend the final decision not be made until other members of the Council are present. After discussion, Council agreed to accept the recommendation of the Attorney and place the zone change on the next regular agenda of the Council.

City Manager further stated that in keeping with the comprehensive plan of the City, an evaluation and review of the zoning needs to be made every five years by the Planning and Zoning Commission. Mr. Dover recommended the Board be authorized to make this study. Hendrick moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

City Manager Dover reported that no agreement has been reached between the City and Paul Hileman for a sewer easement on Mr. Hileman's property located in the north city limits. He stated that official action needs to be taken so that condemnation procedures can be initiated. After discussion and advise from City Attorney Sloan, Simms moved that condemnation procedures be initiated. Second by Coleman.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

Mayor Thompson stated that since Mr. Joe Elliott is no longer a resident of the City, a replacement needs to be made on the Park and Recreation Board. After brief discussion and recommendation from Mayor Thompson, Simms moved that Kenneth Holt be appointed to the Board. Second by Hendrick.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

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Mr. Dover stated that some time ago, Delta Construction was employed by Sabine Investment to lay a water line on Dale Drive. The line was run directly in front of the Gary Hurley property, under the driveway. Dirt has been left piled and damage is being caused by the rain. He stated that several attempts to have this corrected have been made, that he has talked with representatives of Sabine Investment concerning this, but nothing has been done. He stated that as of this date, Delta Construction has been mailed a letter advising them that the City expects repairs to the Hurley property within thirty (30) days or the City will do the work and bill the construction company. Alderman Simms then stated that he has talked with Mrs. Hurley on several occasions regarding this and then called Mr. Benny Brown with Sabine Investment. Mr. Brown stated that Sabine intended to do nothing and that nature would repair any damage by grass beginning to grow in the Spring. However, this will not help the situation during the Winter rains. After considerable discussion, Mayor Thompson stated he would contact Mr. Stubblefield regarding this, although no official action can be taken until the thirty days have expired. Mr. Dover was instructed to make a report at the next regular meeting of the Council.

Alderman Simms then moved that employee Christmas bonuses not be discussed until the Council adjourned and went directly into an executive session, which notice had been given for. Second by Coleman.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

There being no further business, Council adjourned at 6:45 P. M. and reconvened in executive session.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a special meeting of the City Council of the City of Diboll, Texas, January 8, 1976 at 2:30 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Charles Schmidt, James P. Simms, Samuel Coleman,	Councilmen
James Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Calvin Lawrence, Richard Hendrick,	Councilmen

Mayor Thompson explained that the purpose of the meeting is to discuss a change order on the drainage improvements in the Maynard and South First Street area. City Manager explained the changes that are proposed which amount to $9,238.09. Street Superintendent, Leo Hearne then presented the plans and pointed out in detail the proposed changes. City Manager recommended the change order be approved. After discussion, Schmidt moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Schmidt, Simms and Coleman

Voting No: None

Mayor Thompson reported that since legal proceedings have been taken against the City in the case of Martha Trapp, that it has been found that the City has $5,000. deductible on the general liability that would cover such a claim. Mr. Thompson stated that City Attorney Sloan has investigated and found that non-deductible will only amount to approximately $52.00 a year in additional premiums. After discussion, Mayor Thompson recommended Manager Dover investigate to see if this amount is correct and advise the Council before the next regular meeting. Council agreed to accept the Mayor's recommendation. There being no further business, Council adjourned at 3:00 P. M.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, January 19, 1976 at 6:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Richard Hendrick, Samuel Coleman, Charles Schmidt,	Councilmen
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Coleman.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mary Bodley, representing Deep East Texas Council of Governments, appeared before the Council to explain Human Services Delivery System. This program will help local groups in any project involving human services with low income people. Miss Bodley, explained that fifteen of these programs have been started in this area during the past year. She stated that a resolution must be adopted by the Council before the program could be initiated, although no money will be involved. After considerable discussion, Mayor Thompson asked Attorney John Sloan to read the proposed resolution. After doing so, Attorney Sloan reported that he saw no reason the resolution could not be passed. Lawrence moved the City adopt the resolution. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

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City Manager reported that the City's dog ordinance does not include several provisions that are necessary in order to control the dog problems. He listed for the Council's benefit six (6) provisions that he felt would help to reinforce the ordinance. These are attached to and made a part of these minutes. After considerable discussion, Mayor Thompson recommended that he appoint a committee to study these possible amendments and a report be made at the next meeting. Council agreed to accept the Mayor's recommendation.

Mr. Dover stated that at the last regular meeting a zone change request from R & S Developers had not been voted on since a quorum was not present. The request is to change a PD zone on Highway 59 north to a C-2 and has been recommended by the Planning and Zoning Commission. After brief discussion, Lawrence moved the Council accept the recommendation from the Planning and Zoning Commission and amend the zoning ordinance. Second by Coleman.

Voting Yes: Lawrence, Simms, Coleman and Schmidt

Voting No: None

Abstain: Hendrick

City Manager reported that several months ago the Council discussed whether it would be feasible to provide plastic garbage bags for all citizens. He stated that he has contacted several companies and found that the cost will be about .06¢ per bag. Mr. Dover explained that should the City decide to furnish the bags, that rates will need to be increased at least $1.00 per month per customer since the overall cost to the City will be approximately $8,000. a year. He stated that at this time the garbage department is operating at a loss each month. After considerable discussion, Mayor Thompson instructed the City Manager to investigate further on the additional cost of the garbage department to see if a dollar per month will be an adequate increase. Council agreed this should be done before a rate increase is passed.

Mr. Thompson stated that C. H. Shepherd, Jr. has resigned as Chairman of the Planning and Zoning Commission and he would like to appoint Kenneth Nelson as his replacement. Lawrence moved that Kenneth Nelson be appointed as Chairman of the Planning and Zoning Commission. Second by Coleman.

Voting Yes: Lawrence, Simms, Coleman, Schmidt and Hendrick

Voting No: None

Mr. Dover stated that Estimate #5 from M. G. Moore Construction for drainage improvements had been received in the amount of $12,470.75. He stated the estimate was approved by the engineer and the City's inspector, therefore he authorized payment and requested the action be ratified. Schmidt moved the Manager's

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action be ratified. Second by Coleman.

Voting Yes: Lawrence, Simms, Coleman, Hendrick and Schmidt

Voting No: None

City Manager presented Estimate #6 from M. G. Moore Construction for drainage improvements in the amount of $4,908.60 and asked for permission to make payment. He stated that the estimate has been approved by the engineer and the inspector. Hendrick moved that payment be made to M. G. Moore Construction. Second by Coleman.

Voting Yes: Lawrence, Simms, Coleman, Schmidt and Hendrick

Voting No: None

Mr. Dover reported that since the Mill Street Crossing has been completed, a school crossing is needed and also sidewalks. He stated that the situation at the crossing is extremely dangerous for school children. Mr. Dover recommended the City proceed with sidewalks as set forth in the study made by the Governor's Office of Traffic Safety. The Manager outlined on a map the area that would be included. Sidewalks would be installed down the south side of Thompson Street to School Street, then north up School Street in front of the elementary school to Hines Street, then east down Hines Street to Hendrix. Mr. Dover stated this is a total of 1,743 feet and will cost approximately $10,000. He stated the City has funds available and he would recommend going ahead with advertising for bids on the project as he feels the safety factor will be well worth the cost. Alderman Simms moved that the City not proceed until checking with school officials regarding a crossing guard at the Mill Street Crossing and possibly at School Street. However, he withdrew the motion. After considerable discussion, Hendrick moved that the entire project of 1,743 feet of sidewalk be done and that City Manager Dover be authorized to proceed with advertising for bids and to contact the school officials and the property owners that will be involved. Second by Lawrence.

Voting Yes: Lawrence, Simms, Coleman, Schmidt and Hendrick

Voting No: None

City Manager presented a resolution conveying property to Temple-Eastex that the State gave back to the City. This is .306 acre that was not needed in the Mill Street Crossing improvements. Lawrence moved the City adopt the resolution. Second by Coleman.

Voting Yes: Lawrence, Simms, Coleman, Schmidt and Hendrick

Voting No: None

City Manager reported that in the 1975-76 budget he had included funds to replace the administration car. He requested permission

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to advertise for bids at this time. He stated the present vehicle is a 1972 Pontiac with approxiamtely 40,000 miles. After discussion, Lawrence moved Mr. Dover be authorized to advertise for bids with and without a trade-in allowance. Second by Hendrick.

Voting Yes: Lawrence, Simms, Coleman, Hendrick and Schmidt

Voting No: None

Mr. Dover stated that several of the City's ordinances need amendments. He stated he would have these ready for Council review by Thursday of this week. After discussion, Council agreed to review these and set a special meeting to approve the amendments.

There being no further business, Council adjourned at 7:30 P. M. and went directly into an executive session to discuss the following:

A. Consider sale of property
B. Counsel with Attorney concerning litigation
C. Review agreement with Housing Authority

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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EXHIBIT # 1

The present dog ordinance does not provide for the following:

1. Provision for vaccination of dogs less than four months old
2. Female allowed to run at large while in heat
3. Number of dogs allowed per residence
4. Kennel condition, and, where allowed
5. Establish rates for kennel
6. Provide penalty for damages caused by dog

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, February 16, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Richard Hendrick, Samuel Coleman, Charles Schmidt,	Councilmen (part of the meeting)
James E. Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Lawrence.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

Mr. Lynn Montes, representing Axley and Rode, Certified Public Accountants, appeared before the Council to present the annual audit for the fiscal year 1974-75. Mr. Montes briefly reviewed each Department of the City and its operational expenses. He advised the Council that Revenue Sharing money must be expended within a twenty-four month period. He also pointed out that the Water and Sewer Department showed a net loss for the year. After discussion, Lawrence moved the audit be approved and accepted. Second by Hendrick.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

Mr. Kelsie Roach appeared before the Council to discuss billboard regulations. Mr. Roach stated that he feels there are too many signs and unnecessary billboards in the City on the Highway. He explained that it detracts from the beauty of Dibll and wondered if the Council has any authority to prohibit such signs. Mr. Roach

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suggested that perhaps the City could regulate the size of signs erected, limit the number and the period of time they could be left. Mayor Thompson stated that some time ago the City had entered into an agreement with the State Highway Department giving them the jurisdiction over the placing of billboards, but that the City will contact the State and review the contents of the agreement.

Mayor Thompson stated that under general law, the first Saturday in April is City Election Day. Mr. Thompson declared April 3, 1976 as Election Day and appointed Mrs. J. T. Arrington as Election Judge.

City Manager stated that in earlier correspondence he had advised the Council of bids that had been received on a 1976 Administration car. The bidders and their bids are as follows:

Angelina Chevrolet-Cadillac		$ 3,600.00
Morrow Buick-Pontiac	(Pontiac Catalina)	$ 4,438.12
	(Buick LeSabre)	$ 4,583.47
Greater Lufkin Ford	(Ford LTD)	$ 3,969.63
	(Custom 500)	$ 3,834.45

All bids listed are with trade-in of the present 1972 Pontiac. Mr. Dover stated that he has accepted the low bid from Angelina Chevrolet-Cadillac and asked for ratification. Hendrick moved the Manager's action be ratified. Second by Lawrence.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

City Manager reported that one of the local civic organizations had discussed a gun range for target practice, but due to lack of funds, this had not materialized. He stated that he would like to see the City build one for the Police Department since there is no place for the officers to target practice. He further stated that land is available behind Water Well #3 which he feels would be an area suitable for the range. Mr. Dover stated that this project will be of very little expense to the City since it could be built with City work forces. Chief Wolf explained the Police Department's feeling concerning the practice range, stating they are now going to Lufkin for practice, and would really like to have one of their own. There was considerable discussion among the Council regarding the public use of the range. After the discussion, Simms moved that the range be built by the City and used by the Police Department only. Second by Coleman.

Voting Yes: Simms, Coleman

Voting No: Hendrick, Lawrence

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Since the vote resulted in a tie, Mayor Thompson voted for the motion. The range will be used for Police Department practice only.

City Manager stated that a copy of the subdivision ordinance had been given to the Council earlier for review. He stated this ordinance has been in operation although no record shows the City's actual adoption of the ordinance. He requested Council to approve and adopt the ordinance at this time. Alderman Hendrick stated that he has reviewed the ordinance and feels it is too strenuous for a City the size of Diboll. City Manager explained that the Planning and Zoning Commission allows variances should the requirements of the ordinance be too great in certain situations. Alderman Hendrick then moved that since it has been such a long time since the ordinance was orginally presented that it be referred to the Planning and Zoning Commission for review and possible revision before it is passed. Second by Lawrence. After much discussion, Mayor Thompson asked for a vote.

Voting Yes: Hendrick, Coleman and Lawrence

Voting No: Simms

City Manager stated that he has investigated the cost of a fireworks display for a July 4 celebration or Diboll Day in observance of the bicentennial should the City be interested. The approximate cost of the display will be $3,000. After discussion, Lawrence moved the City not finance a fireworks display on either day. Second by Hendrick.

Voting Yes: Hendrick, Coleman, Lawrence and Simms

Voting No: None

City Manager Dover stated that operational costs of the Sanitation Department have increased considerably and that rates at the Angelina County Landfill will be increased within the next few months. He stated he has investigated what is needed in a monthly rate increase and also the pros and cons of a garbage bag system. Mr. Dover made the following recommendation: Monthly rates, residential, from $1.50 to $2.50 per month and commercial rates be changed from $5.00 for the first ten barrels and $.10 per barrel thereafter to $7.50 minimum for the first 12 cubic yards and $.75 per cubic yard thereafter. After considerable discussion, Hendrick moved to accept the Manager's recommendation. Second by Schmidt.

Voting Yes: Hendrick, Coleman, Lawrence, Simms and Schmidt

Voting No: None

Mr. Dover stated the rate increase and bag system will go into effect as soon as bags are purchased. The first six months supply of bags will be delivered, thereafter citizens will pick

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them up at City Hall. City Manager reported that some residents outside the City Limits have water and sewer and garbage service. He stated the water rates are double the inside rate but sewer and garbage are the same as inside rates. Mr. Dover stated he feels all outside rates should be uniform and recommended that all rates be doubled since residents outside the City Limits do not pay any taxes yet receive the same service as those who do. After discussion, Simms moved that all customers outside the City Limits pay double the rate of inside customers on water, sewer and garbage. Second by Coleman.

Voting Yes: Hendrick, Simms, Coleman, Schmidt and Lawrence

Voting No: None

Mr. Dover stated that bids have been received for the repainting of the ground storage tank. The bidders and their bids are as follows:

National Tank Maintenance	$ 3,850.00
R. D. Ferguson	$ 6,285.00
Water Tank Service Company	$14,949.00
Pittsburg Tank and Tower Company	$ 9,835.00
Water Tower Tank and Repair Company	$16,435.00

There was a brief discussion on the types of paint that may be used. Director of Utilities, M. D. Scarborough, recommended that the City accept the low bid of $3,850.00 from National Tank Maintenance. Lawrence moved this recommendation be accepted. Second by Coleman.

Voting Yes: Hendrick, Simms, Coleman, Schmidt and Lawrence

Voting No: None

There being no further business, Council adjourned at 7:45 P.M. to meet in executive session to discuss City Hall and Public Safety facilities.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a combined meeting of the City Council and the Planning and Zoning Commission of the City of Diboll, Texas, March 1, 1976 at 4:00 P. M. in the meeting room at Diboll City Hall.

Planning and Zoning Members Present:

Kenneth Nelson, Chairman

C. H. Shepherd, Jr.
Gary Hurley,
Ted Miller,

Members Absent:

Joe C. Denman, Jr.

City Council Members Present:

Clyde Thompson, Mayor

James P. Simms,
Charles Schmidt,
Richard Hendrick,
Samuel Coleman,

James Dover, City Manager
Geneva Sides, City Secretary
John Sloan, City Attorney

Members Absent:

Calvin Lawrence, Councilman

Meeting was opened with prayer by Alderman Coleman.

Mayor Thompson explained that the meeting was a joint one between the Planning and Zoning Commission and the City Council. The purpose of the meeting was to consider applications for zone changes. He then asked Chairman Nelson to preside over the hearing.

Mr. Nelson reported that four applications have been filed and each one will be taken separately. The first application was from Marvin Baker for a portion of 25.91 acres of land out of A-39, T. Quevado League, adjacent to the Woodland Addition of the City of Diboll, from PD to R-1 Zone. Mr. Nelson asked if anyone present wished to speak for or against the zone change. No one was present to oppose the zone change. Mr. Shepherd moved that the zone be changed from PD to R-1 and recommend the change to the City Council. Second by Miller.

Voting Yes: Nelson, Hurley, Miller and Shepherd

Voting No: None

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Mr. Nelson presented an application from Sabine Investment to change Lot 1, Blk. 1, Devereaux Addition, Lot 2, Blk. 1, Town of Diboll from R-2 to C-2 Zone. Ray Faircloth, representing Sabine Investment, explained that this area is where the present Sales Office is located and the vacant lot across the street at the corner of Hines and Thompson which will be used for a parking lot. Carroll Dover, interested citizen, asked if building the parking lot will cause his taxes to increase. Mr. Nelson not being able to answer, referred the question to the City Manager. City Manager Dover stated that at this time, the City has no intention of increasing the tax value of property in that area. After discussion, Hurley moved that the zone be changed from R-2 to C-2 and a recommendation be made to the City Council. Second by Shepherd.

Voting Yes: Nelson, Hurley, Miller and Shepherd

Voting No: None

Mr. Nelson presented an application from Sabine Investment for four lots, 16, 17, 18 and 19, Blk. 2, Jackson Addition, from R-1 to C-1 Zone. Ray Faircloth explained these lots were originally platted for neighborhood type commercial but that the zone was never changed to permit this. After discussion, Shepherd moved these lots be zoned for this type commercial and a recommendation be made to the City Council. Second by Hurley.

Voting Yes: Nelson, Hurley, Miller and Shepherd

Voting No: None

Mr. Nelson presented an application from Sabine Investment for a portion of 69.603 acres out of A-10, J. R. Chevano League, from PD to permanent zoning. There was considerable discussion concerning this application. Gary Hurley, member of the Planning and Zoning Commission, stated that as a property owner that will be affected, that he is opposed to this change, but will not vote since he is an interested party. Mr. Faircloth then pointed out on a map the proposed area to be zoned. After discussion, Shepherd moved that this area be permanently zoned R-1, R-2, and C-1 as shown on the map. All documents relating to this proposed subdivision are on file in the office of the City Secretary. Second by Miller.

Voting Yes: Nelson, Miller and Shepherd

Voting No: None

Abstain: Hurley

Chairman Nelson then stated that a zone change will be recommended for all applications to the City Council for consideration and amendment to the Zoning Ordinance. This will confirmed in writing to the Council.

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Mayor Thompson then presented each recommendation separately to the City Council for consideration.

Hendrick moved the City accept the recommendation from the Planning and Zoning Commission to zone Marvin Baker's property from PD to R-1. Second by Coleman.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

Voting No: None

Hendrick moved to accept the recommendation from the Planning and Zoning Commission for Lot 1, Blk. 1, Devereaux Addition, Lot 2, Blk. 1, Town of Diboll be zoned from R-2 to C-2. This application is from Sabine Investment. Second by Schmidt.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

Voting No: None

Coleman moved the City accept the recommendation from the Planning and Zoning Commission to change the zone from R-1 to C-1 on Lots 16, 17, 18 and 19, Blk. 2, Jackson Addition as requested. in an application from Sabine Investment. Second by Hendrick.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

Voting No: None

Hendrick moved that the recommendation from the Planning and Zoning Commission be accepted for a portion of land owned by Sabine Investment and platted as Shannan Forrest. The application requested permanent zoning, however, Mr. Hendrick moved to zone each section of the proposed subdivision with appropriate zoning as requested, R-1, R-2 and C-1 as shown on the plat. Second by Coleman.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

Voting No: None

There being no further business, Council adjoured at 4:50 P. M.

C Clyde Thompson
MAYOR

PLANNING & ZONING CHAIRMAN

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, March 15, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Richard Hendrick, Samuel Coleman,	Councilmen
James Dover,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Charles Schmidt,	Councilman

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Lawrence.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

Mr. Phil Parrish appeared before the Council concerning access to his property recently purchased. The property is located in the Woodland Addition at the end of Brown Street. Mr. Parrish requested that he be allowed to go back twenty-five (25) feet from the road onto City property so that he will not have to build a driveway for the entire distance required to gain access to his property. There was considerable discussion among the Council with Mr. Parrish concerning this. After discussion, Mr. Thompson instructed the City Manager to consult with the City Attorney and investigate the restrictions on this subdivision before any official action is taken. Mr. Thompson assured Mr. Parrish this will be done at the earliest possible time.

City Manager reported that he had received bids on the purchase of plastic garbage bags. The bidders and their bids are as follows:

Adams Industries, Inc., 200,000 bags, Unprinted $49.13 per thousand, Printed $53.13 per thousand

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The Stedman Paper Company, 200,000 bags, Unprinted $75.60 per thousand, Printed $86.40 per thousand

Marketing Services and Company, 200,000 bags, Unprinted $51.70 per thousand. No bid on printed bags.

After discussion, Mr. Dover recommended that he review the specifications and make a recommendation to the Council at a later time. Council agreed to accept Mr. Dover's recommendation.

Mr. Dover stated that he would like to have authorization to place three or four of the new type garbage containers at the old landfill site. This will be helpful so that citizens with small amounts of limbs, trash, etc., will not have to drive to the Angelina County landfill. Mr. Scarborough stated that the City has two extra containers at this time. After considerable discussion, Council agreed to place these containers at the landfill on a three month trial basis.

Mr. Dover stated that the adoption of the subdivision ordinance has been pending since last meeting. He stated he would like for the Council to reconsider passage of the present ordinance. since the City is operating without the ordinance at this time. Mr. Dover recommended that the ordinance be passed as it is written subject to the Planning and Zoning Commission reviewing and making recommendations for amendments. Mr. Dover stated that he feels the City definitely needs some type of subdivision ordinance to prevent the City from accepting substandard development. After considerable discussion, Alderman Lawrence moved to accept the Manager's recommendation. Second by Simms.

Voting Yes: Lawrence, Simms, and Coleman

Voting No: Hendrick

Ray Faircloth, with Sabine Investment Company, opposed the adoption of the ordinance stating that he could see no benefit to the City to pass the ordinance at this time.

City Manager stated that he had advertised that the City is accepting bids for the sale of its Caterpillar loader. He stated that two bids had been received. The bidders and their bids are as follows:

Earl Chance	$19,100.00
J. T. Parker	8,000.00

Mr. Dover stated that he would like to review the bids before any action is taken. Council agreed the bids should be reviewed.

City Manager presented Estimate #7 from Moore Construction in the amount of $6,040.25 for drainage improvements and asked for approval to make payment. Hendrick moved the Manager be authorized

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to make payment in this amount. Second by Coleman.

Voting Yes: Lawrence, Simms, Coleman and Hendrick

Voting No: None

City Manager presented a plat of Shannan Forrest for approval. He stated it had been approved by the Planning and Zoning Commission. Only the portion of the development as shown on the plat will be approved now: Sabine Investment will have two years in which to complete the subdivision before the City accepts it. After discussion, Hendrick moved the City accept the plat as presented. Second by Lawrence.

Voting Yes: Lawrence, Simms, Coleman and Hendrick

Voting No: None

City Manager reported that in some subdivisions, property values are not equalized for tax purposes. He presented a list of the proposed increases with color-coded maps showing the areas of the proposed increases. Mr. Dover stated that this will be given to the Board of Equalization for review and that he is presenting this just for information to the Council.

City Manager explained that students form A&M have completed plans for planting 200 trees as a Bicentennial project in Diboll. He stated a public meeting had been held and the project has been approved. He stated that no actual cost is available on the 200 trees but assistance is needed from the City. He suggested that the City be responsible for the care of the trees and possibly employ an additional person for this job. Mrs. Nan Miller who was present explained that Temple-Eastex will donate 200 trees if someone could removed the trees from their present site and transport them to Diboll. Mr. Dover stated that if arrangements could be made to get trees within the next few weeks, he would recommend this: if not, fall will be a better time to plant the trees. There was considerable discussion concerning the tree planting. Street Superintendent, Leo Hearne, expressed his concern about where the trees will be placed with regard to problems with drainage and visibility. After considerable discussion, City Manager recommended that he call A&M and obtain plans that show where the trees are to be planted. Lawrence moved the City participate in the Bicentennial project and the present committee of citizens working on the project be known as the City Enhancement Board. He further moved that no trees be placed on private property without an easement being secured prior to the trees being planted. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick and Coleman

Voting No: None

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Mayor Thompson discussed with the Council a possible time to be set for "clean-up week". After discussion, April 5-9 was declared Spring clean-up week in Diboll upon motion by Lawrence and second by Hendrick.

Voting Yes: Lawrence, Simms, Coleman and Hendrick

Voting No: None

The discussion of selling the City's street sweeper was tabled.

Mr. Dover stated that when the new diesel garbage truck was purchased, the old truck was retained as a back-up unit. However, the old truck cannot pick up the new containers. Mr. Dover explained that the truck either needs to be traded in or altered so it can be used to pick up the containers. After discussion, Council agreed that Mr. Dover be authorized to see which would be more feasible cost-wise.

City Manager presented amendments to the garbage ordinance and the water and sewer ordinance that were approved at a previous meeting and recommended final adoption. These will become effective when the captions are published in the paper. Simms moved the ordinance be finally passed and adopted. Second by Coleman.

Voting Yes: Simms, Lawrence, Hendrick and Coleman

Voting No: None

Mr. Dover stated that it is time to appoint a Board of Equalization for tax valuations. The present Board consists of Denmis Maynard, A. F. Vaughn and Milford Ruby. Mayor Thompson recommended this Board be reappointed. Lawrence moved to accept this recommendation. Second by Simms.

Voting Yes: Simms, Lawrence, Hendrick and Coleman

Voting No: None

Jerry Hill representing Wiener, Morgan, O'Neil and Hill, appeared before the Council to present preliminary plans of the proposed. safety building and City Hall remodeling. Mr. Hill pointed out in detail the proposed improvements stating the public safety building will cost approximately $181,350., paving $26,100., and remodeling of the present City Hall, $39,010. for a total estimated cost of $248,100. Gary Jones, Volunteer Fire Chief, expressed his dissatisfaction with the storage rooms in the proposed fire station. After considerable discussion, Manager Dover instructed Mr. Jones to calulate the square footage that will be needed and report this to Mr. Hill. Council also discussed where the needed funds will be secured for this project. Mr. Dover reminded the Council that $106,500. in Revenue Sharing Funds has been pledged and the General Fund is expecting a surplus in

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excess of $100,000. this year. After discussion, Lawrence moved that Jerry Hill be authorized to proceed with final plans so that bids may be taken as soon as possible. Second by Lawrence.

Voting Yes: Simms, Lawrence, Hendrick and Coleman

Voting No: None

There being no further business, Council adjourned at 8:05 P. M. to meet in executive session.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, April 19, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
James Simms, Calvin Lawrence, Charles Schmidt, Samuel Coleman, Richard Hendrick,	Councilmen
Geneva Sides,	City Secretary
Herman Brown,	Interim Manager

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Lawrence.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

Mayor Thompson stated a public hearing was now in session to hear citizen input concerning the City's application for a Community Block Grant in the amount of $100,000. The application requests the funds to be used in upgrading the City's sanitary sewer collection lines. No one present opposed the application.

Mayor Thompson then administered the oath of office to James Simms, Richard Hendrick and Charles Schmidt who were elected at the April 3, 1976 City Election.

Jerry Hill, architect, representing Wiener, Morgan, O'Neil and Hill, appeared before the Council to give a progress report on the proposed public safety building and City Hall improvements.

Mr. Hill reported that decision needed to be made regarding the type heating and cooling that will be used in the new building. He stated that he would recommend electric cooling and gas heating. Mayor Thompson also recommended electric cooling and

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heating. Interim Manager, Herman Brown explained that the gas company has contacted the City and asked that gas be used in the new building. After considerable discussion, Lawrence moved that the public safety building be all electric. Second by Hendrick.

Voting Yes: Simms, Lawrence, Coleman and Hendrick

Voting No: Schmidt

Mr. Hill then stated that brick veneer exterior on the public safety building is estimated to cost approximately $1.50 per square foot, wood siding will cost approximately $1.88 per square foot; a difference in cost of $1,900. more for all wood exterior. Mr. Hill further stated that insurance will cost approximately $225.00 more per year for all wood. Mayor Thompson strongly objected to the use of brick on the building. After discussion, Hendrick moved the new public safety building be constructed out of wood to complement the present building. Second by Schmidt.

Voting Yes: Lawrence, Coleman, Hendrick and Schmidt

Voting No: Simms

Mr. Hill explained the final plans should be complete within a month so that bids can be taken.

Mr. Robert Jackson and Mr. George DoBosh, representing Borden Chemical Company, appeared before the Council to request that Council consider accepting Borden's pre-treated wastewater into the City's sanitary sewer system. Mr. DoBosh explained the average flow data and stated that he did not know if it met the City's wastewater requirements as set forth in the City's Industrial Waste Ordinance since he has never received a copy. Mr. Scarborough, Director of Utilities, reported on portions of the ordinance and stated that, in his opinion, the City should not set a precedent by accepting wastewater from this plant. The results of a flow test reveals the effluent from Borden will not be acceptable to the City's plant which is specifically designed for residential rather than industrial. After much discussion, Lawrence moved the request be taken under advisement until all facts and figures could be computed. Second by Hendrick.

Voting Yes: Lawrence, Simms, Coleman, Schmidt and Hendrick

Voting No: None

Mr. Phil Parrish appeared before the Council concerning the setback on his property on Brown Street in the Woodland Addition. Mr. Parrish stated that he could not proceed with the building of his house unless the Council would grant a variance that will waive the thirty-five (35) foot restriction in front.

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He further stated that he has been told by the loan company that he will need to have an abstract or title company certification of the legal owners in the area of his property; estimated to cost approximately $400. which he stated he could not afford to pay. City Attorney Sloan explained that the City can grant variances or other items controlled by the zoning ordinance but it has no authority to do anything concerning the subdivision restrictions, established prior to the subdivision's acceptance into the City. It was stated it would be Mr. Parrish's responsibility to prove legal ownership of the other property owners and secure their signatures stating they have no objections to the setback of Mr. Parrish's house. Mayor Thompson reminded Mr. Parrish that it is not the City's responsibility to make the corrections that are now needed;but rather that of Diboll Development Company. Diboll Development has been very cooperative and the cul-de-sac discussed previously has been staked. After much discussion with Mr. Parrish and Mr. Howard Mullins, Interim Manager Brown and Mayor Thompson assured Mr. Parrish that the City is doing all that is possible so that he may contine with construction of his home.

Mayor Thompson stated that Becky Chapman has requested she be appointed Tax Assessor-Collector for the City; presently a part of the City Manager's title, although for some time Mrs. Chapman has been doing the tax work. After brief discussion, Lawrence moved that Becky Chapman be appointed Tax Assessor-Collector for the City. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Interim Manager reported that two bids had been received on the construction of sidewalks on Thompson and Hines Streets and a portion of School Street. The bid opening was April 14, 1976 at 2:00 P. M. at City Hall. The bidders and their bids are as follows:

Moore Brothers Construction	$ 9,273.50
Kenneth Koon Construction	12,132.90

Street Superintendent, Leo Hearne stated that he has investigated the bids and recommends that City accept the low bid from Moore Brothers Construction. Hendrick moved to accept Mr. Hearn's recommendation. Second by Lawrence.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mayor Thompson then requested Mr. Brown to contact the property owners that the sidewalks will affect so they will be aware of what the City is doing.

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Mr. Brown presented Estimate #8 from Moore Construction for drainage improvements in the amount of $11,203.47 and asked for approval to make payment. The estimate has been approved by Mr. Hearne and the City's engineer. Hendrick moved the estimate be paid. Second by Lawrence.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Council discussed dates and times for the next public hearing on the Community Block Grant and also workshops with Department Heads. After discussion, Mayor Thompson set the following:

Public Hearing, Monday April 26, 1976 at 6:00 P. M.

Executive Session (workshop, Police Dept.) Monday, April 26, at 6:30 P. M.

Executive Session (workshop, Street Dept.) Monday, May 3, at 6:00 P. M.

Mayor Thompson stated the terms of C. H. Shepherd, Jr. and James Rhone on the Housing Authority Board are expiring this month. He recommended these two be reappointed. Lawrence moved to accept the Mayor's recommendation. Second by Simms.

Voting Yes: Lawrence, Simms, Coleman, Schmidt and Hendrick

Voting No: None

Mayor Thompson stated that since the resignation of the City Manager, the position of Director of Disaster Emergency Services has been vacant. He requested that a new director be appointed. Lawrence moved that Interim Manager, Herman Brown, be appointed to fill this vacancy. Second by Simms.

Voting Yes: Lawrence, Simms, Coleman, Schmidt and Hendrick

Voting No: None

Interim Manager reported the following:

1. City of Diboll has been approved through CETA program for five youths for summer work. Applications will be taken shortly.

2. Mr. Hearne is placing the traffic safety signs recently obtained through a grant from the Governor's Office of Traffic Safety.

3. Mr. Stubblefield has presented the City with a bill for $203.84 for carpet in the pro shop expansion. This is not covered in the total bid. This amount will be

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reimbursed the City from a special Park and Recreation Department "Use Fee" fund.

5. No official action has been taken on the City operating the swimming pools. Mr. Brown stated a meeting needs to be set for City officials to meet with Booster Club representatives to discuss the City's assuming swimming pool operations. Mr. Shepherd has agreed to help the coming year when pools open on May 29 until August 16.

6. Bid has not been awarded on the sale of the City's Caterpillar loader. Two bids were received at last Council meeting. Mr. Brown will investigate to see if it will be feasible to accept the highest bid.

7. Mr. Scarborough is checking into the purchase of an additional garbage truck to replace the old truck since it cannot pick up the new containers.

8. Mr. Brown reported several people have inquired about buying the 1952 fire truck. Council agreed that the City should not sell the truck and that letters be sent to those who had made purchase inquires.

9. The dog problem is increasing. Owners should be encouraged to keep dogs up even if they are tagged. Dogs not tagged will be picked up.

In other business, Mr. Brown stated that a resolution needs to be adopted requesting HUD to approve the Community Block Grant. Lawrence moved to adopt the resolution. Second by Schmidt.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

The caption of the resolution is as follows:

"WHEREAS, the City of Diboll, Texas is greatly in need to improve and install additional sewer facilities to serve the City's residents."

It is on file in the office of the City Secretary.

There being no further business, Council adjourned at 8:05 P. M. upon motion by Lawrence.

Elyda Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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MINUTES: CITY COUNCIL MEMBERS IN EXECUTIVE SESSION, A WORKSHOP MEETING WITH MEMBERS OF THE POLICE DEPARTMENT

April 26, 1976

Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Samuel Coleman, Charles Schmidt,	Councilmen
John Sloan,	City Attorney
Herman Brown,	City Manager

Absent:

Richard Hendrick,	Councilman

Prior to the regular workshop with members of the Police Department, Alderman James Simms requested that he be privileged to ask a question to each member of the Police Department, each member coming in individually, each being requested to keep the question confidential. The question:

> "Do you have any knowledge of any wrong doings whatsoever in the Diboll Police Department: Wrong doings committed by yourself, any police officer or your Police Chief? I use the words "wrong doings" because it does not have to be illegal; it could be morally wrong. If you do, would you say so now and elaborate. If you do not, would you also state so?"
>
> Replies: Frank Braggs, No; Ira Miller, No; Jesse Lewis, No; Ronal Brandon, None that I know of; Dewey Wolf, Not at this time (meaning the present Police Force personnel)

Workshop Session:

Mayor Clyde Thompson explained that the workshop executive session was being held to give and to receive suggestions on ways and means to improve the Department and to analyze and discuss problems of law enforcement.

Mayor Thompson opened the discussion by stating that there had been criticisms of the manner in which violators had been fined; such as refusing to accept checks for bonds, holding people at Police Headquarters until money could be brought to pay the appearance bond; somehow creating the impression that the bond

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money was the collection of a fine.

These matters were discussed. Dewey Wolf, Chief, stated that he or the Police Department had never been given a directive on the Council's desired policy with respect to certain matters. Mr. Wolf explained the operation of the Department, the handling of Juveniles, under 16 years of age, and general law requirements.

Questions were asked as to why some locals were brought to Police Headquarters. General trend of the Police explanations was the conditions and the attitude of the violator.

Incidents were cited. Officer Brandon explained that time was a great problem, that fights, family problems and such took a lot of time from regular survelience cruising, etc.,

Mr. Simms made extensive remarks dealing with the image of the Police Department and said that he believed that communications was one of the major problems.

Mr. Charles Schmidt mentioned the radar trap. Chief Wolf quoted accident statistics for the Highway 59 route through the City. He also presented written information and schedules on how four officers were scheduled to work. He stated the need for two or three more officers.

Early morning shift changes were discussed. Officers reasoned that Highway 59 speeders at this time were a hazard to workers.

Sam Coleman asked about possibility of using concerned citizens as aids or auxiliaries.

Judge Sherod Powell advised that citations gave 10 days to appear, then a letter was written and if no response, a warrant was issued. Setting of bond fees were discussed.

Officers maintained that it was next to impossible to get warrants served on out-of-town violators, particularly in Harris County.

Charles Schmidt asked why so many violators' cars--particularly intoxicated drivers--had to be pulled in by wreckers. Police explained that care had to be used as the violator could later maintain that the Police had damaged the vehicle; that, if possible they would get a family member to drive the car to headquarters.

Chief Wolf advised that his department would work with citizens in engraving articles for identification. He suggested a sticker might be placed on the front of certain type of stores stating that articles were identified.

The session ended with Mayor Thompson stating that the Council would review the information presented and would work on the adoption of guidelines in certain categories of Police operation.

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Police were told that the Council had confidence in them and to go out and do the best job possible and work as they were presently working.

After the workshop session was completed Chief Dewey Wolf remained in the meeting room for further conference with Council members. A letter of accusation allegedly written by George Bain, former member of the Police Department, who has been convicted of burglary and theft, and presently committed to the Texas prision, was read by James Simms.

In the letter Chief Wolf was accused of mishandling wrecker service fees collected; of carrying walkie-talkie equipment with him on a hunting trip; and other general misconduct statements. How wrecker services were handled was thoroughly explained.

Chief Wolf denied each accusation with the exception that he did say he took a walkie-talkie in his car when he went hunting, but that it was not used on the hunt and that he had witnesses who could verify the fact.

Following a general discussion of the letter, and matters pertaining to Mr. Bain's arrest and dismissal from the Police Department, Councilmen voted to adjourn.

Clyde Thompson

Clyde Thompson, Mayor

ATTEST:

Herman Brown

Herman ~~Brown, City Manager~~

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Minutes of a special meeting of the City Council of the City of Diboll, Texas, May 3, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Calvin Lawrence,	Mayor Pro-Tem
James Simms, Richard Hendrick, Charles Schmidt,	Councilmen

Members Absent:

Clyde Thompson,	Mayor
Sam Coleman,	Councilman

Also Present:

Herman Brown,	City Manager
John Sloan,	City Attorney
Leo Hearne,	Street Superintendent
M. D. Scarborough,	Director of Utilities
C. H. Shepherd,	
Ray Paulsey,	

Mayor Pro-Tem Calvin Lawrence presided at the meeting.

The matter of the City operating the two swimming pools, presently operated by the Diboll Booster Club, was presented. Mr. Ray Paulsey and Mr. C. H. Shepherd, representatives of the Booster Club spoke on behalf of the Club's desire for the City to operate the pools. It was stated that the City Manager had in hand a letter from the Booster Club stating that the Club would pay $1,000. toward expense of operating the pools. It was also stated that the City could secure a lease on the physical swimming pool properties. Suggestion was made that if the City entered into the agreement that a one-year lease be signed by the City for use of the facilities, owned by the Booster Club.

Manager Herman Brown advised that last year the employees required for the pools' operation were paid as follows: Whispering Pines Pool; Manager, $60. per week; Life Guard, $50. per week; Concession Stand Attendant, $40. per week and at Walter Allen Park Pool; Manager $60. per week and Life Guard, $40. per week. It was further stated that the City would likely be required to pay minimum wage, $2.30 per hour, though the employees would work 24 hours per week--4 hours per day, for 6 days weekly and that if such should be the case it would cost $463.20 additional in salaries, plus FICA taxes. It was generally agreed by all present that it would cost the City more to operate the pools than it had cost the Booster Club, due to the fact that the boosters have secured services in kind without cost.

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Motion was made by Charles Schmidt, seconded by James Simms that the City of Diboll operate the swimming pools located in Whispering Pines and Walter Allen Parks; and further that City officers be authorized to enter a lease agreement for one year on the swimming pools' physical properties.

Voting Yes: Simms, Schmidt and Hendrick

Voting No: None

City Manager Herman Brown advised that upon request of the City Council he had looked into the matter of the value of the 955L front end loader which the City had advertised for sale and had received a high bid of $19,100. Brown reported that from information received from construction firm using such tractors that his recommendation would be to sell the machine for the high bid price.

James Simms said that former City Manager James Dover had indicated that by trading the loader in on a new machine that more money might be received on a new bulldozer, the City might realize more than $19,100. It was suggested that a call to Mr. Dover, former City Manager be made to seek whatever information he might have.

Motion was made by James Simms, seconded by Charles Schmidt that City Manager Herman Brown and Moy D. Scarborough investigate the possibility of trading the 955L front end loader in on a new bulldozer, such as the City requires, to determine if more than $19,100 might be realized via a trade deal rather than sell the City owned machine at the high bid of $19,100; and further that if their investigation revealed that not any more than the $19,100. could be secured that Mr. Earl Chance be notified that the City will accept his bid for the purchase of the front end loader.

Voting Yes: Hendrick, Simms, and Schmidt

Voting No: None

The open meeting was adjourned and the Council convened into an Executive Work Session.

EXECUTIVE SESSION

Leo Hearne, Street Superintendent, made a progress report on the drainage contract work, stating that the project would be completed within a few days. He further reported that due to change orders and other conditions there would likely be an over-run in cost on the contract work of about $13,000.

He reported that the street signs were in hand, that part of them had been installed; that state and federal agencies had made preliminary inspection approving the installations. It was stated that the Prison made the signs, of which would be

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installed before September 1, the deadline for the installations.

Mr. Hearne stated that the City should advertise for the overlaying of two streets, as contained in the budget, namely, Booker and Hines Streets. He discussed the design of some curb and draining problems in preparing to do the work.

It was further stated that in the older section of town, Elm Street for example, many of the driveway culverts were broken and in order to affect good drainage, new driveway culverts would have to be installed. He suggested that the City furnish the culverts, without cost to the property owners, since apparently they had originally installed the culverts.

Culverts 15 feet in length were recommended. Cost per driveway culvert installation was estimated to be about $50. Motion was made by James Simms, seconded by Charles Schmidt that Council in executive session recommend at the next regular meeting the City of Diboll authorize the Street Department to install broken driveway culverts without cost to the property owner.

Voting Yes: Simms, Schmidt and Hendrick

Voting No: None

Code changes were discussed. It was agreed that a number of the code provisions needed changing and that actual wording should be made for formal presentation to the Council.

Mr. Hearne suggested that the City of Diboll adopt a resolution based on the Texas Manual on Uniform Traffic Control Devices for Streets and Highways, Volumes 1 and II, such code provisions requiring four pages of single spaced type-written material. It was suggested that copies be made for Council member study and action.

Problems of the City government, in numerous cases, of not actually knowing the exact location of right-of-way boundry lines were discussed.

The matter of the City requiring the same provisions as required by the state with respect to the location of business firm driveways such as design and curb installations was discussed. Herman Brown suggested that building permits not be issued until a plat drawing of the proposed driveways and entrances to the business showing length, location, footages, etc. be filed with the application and also the applicant be informed that such installations would have to meet with state specification requirements. It was indicated that these provisions would be recommended to the City Council at a regular meeting.

City Manager Herman Brown reported that City Councilmen should be thinking that eventually the City warehouse and barn should be moved to a location nearer the City.

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The possibility that the State Highway Department might have some funds known as No. 204 Highway Fund Grants for improvements made in cities which were not on the state's system. City Manager Brown stated that he and Mayor Thompson were to confer with State Highway Engineer officials. Suggested projects included: narrow bridges, two locations, center line striping, Hendrix and Carter Drive improvements.

Adjourn.

Calvin Lawrence
Mayor Pro-Tem

Attest:

Herman Brown
City Manager

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, May 17, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Calvin Lawrence,	Mayor Pro-Tem
James Simms, Richard Hendrick, Charles Schmidt, Samuel Coleman,	Councilmen
Herman Brown,	City Manager
Geneva Sides,	City Secretary

Members Absent:

Clyde Thompson,	Mayor

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by City Manager Brown.

Coleman moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Schmidt.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

Manager Brown asked Chief Dewey Wolf to come forward and present a certificate to Officer Ron Brandon of the Police Department. The certificate was earned for completion of school training which will upgrade the Department. Manager Brown then presented Chief Wolf with a certificate earned for completion of a Police training course. Both officers were commended for their efforts to continue their education and upgrade the Department.

Manager Brown stated that two members terms on the Planning and Zoning Commission is expiring on May 21. He recommended that the present members, Kenneth Nelson and C. H. Shepherd, Jr. be reappointed. Coleman moved this recommendation be accepted. Second by Schmidt.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

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Manager Brown reported that the Park Department is in need of a pickup truck. Since this item is included in the budget, Mr. Brown recommended that the City advertise for bids. After brief, discussion, Hendrick moved that the City advertise for bids for a pickup. Second by Simms.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

Manager Brown reported that the Park and Recreation Board has recommended the purchase of a gang-type mower and a hand mower for the golf course. He stated that $4,000. has been received from the Diboll Booster Club to be spent on the mowing equipment. He stated the gang-type mower will cost approximately $2,500. and the hand mower about $275. Alderman Hendrick asked what happened to the mower that was purchased last year. It was explained that this is a different type of equipment and was needed immediately. Alderman Simms stated that he feels the Park Board should make the Council aware that equipment is needed far enough in advance that proper investigation and advertising can be done. After discussion, Schmidt moved to accept the recommendation from the Park Board to advertise for bids on a gang-type mower and that the City Manager be authorized to purchase the hand mower at the price most advantageous to the City. Second by Hendrick.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

Manager Herman Brown reported that the City's volunteer firemen's insurance is up for renewal. A three-year policy, now carried by Bartlett, Baggett and Shands, is due in the amount of $733.81. Mr. Brown stated this can be paid yearly, but not by one-third each year. It would be pro-rated on a 40-40-20 basis. After discussion, Hendrick moved the City renew the policy with Bartlett, Baggett and Shands and that the premium be paid all at one time. Second by Simms.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

Mr. Brown stated that at the last meeting no action was taken on accepting a bid to sell the City's front-end loader so that investigation could be made to determine if more money could be obtained or a more advantageous proposal could be secured. He explained that Moy Scarborough had called three firms in Lufkin who handle this type machine. Representatives from Mustang Tractor and Steele and Swakek were present. Each spoke briefly on what his company proposed. Mr. Scarborough explained that when he originally asked for proposals, Mustang Tractor is the only one that responded at that time. Both representatives

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present proposed to trade even the City's present machine for a new, smaller model. Mr. Scarborough stated that either machine would do the job required by the City. After brief discussion, Schmidt moved that the Council approve accepting the Mustang Company proposal. Second by Hendrick.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

Hendrick then moved that the Manager be authorized to purchase a trailer to haul this equipment, price not exceeding $2,000. Second by Simms.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

The Council considered a resolution to adopt traffic and sign regulation to conform with State of Texas Regulations (Texas Manual on Traffic Control Devices for Street and Highways, Volumes I and II. After brief discussion, Schmidt moved an ordinance be adopted. Second by Simms.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

The caption of the ordinance is as follows:

"ORDINANCE TO CONFORM WITH THE "TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS," VOLUMES I AND II WHICH SETS FORTH REGULATIONS FOR GENERAL LAW CITIES."

Alderman Simms reported that he feels the City should take action to eliminate advertising posters that are being put on utility poles throughout the City. He stated that the candidates should be subject to a fine if such posters are erected. There was general discussion concerning the problem. After discussion, Simms moved that the City Manager and City Attorney be authorized to draft an ordinance controlling the posting of signs and handbills and present it at the next regular meeting for consideration. Second by Coleman.

Voting Yes: Simms, Hendrick, Schmidt and Coleman

Voting No: None

Motion was made by Simms and seconded by Coleman that the City Manager, City Attorney and Street Superintendent approve a resolution or ordinance for presentation to the next Council meeting designed to set forth rules and regulations wherein the City of Diboll will replace broken driveway culverts free of cost to the property owner in areas where culvert replacement is required to

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correct street drainage problems. Tentative date for the next workshop session was set for May 20. This will be for the Water and Sewer Department.

Jerry Sutton with Wiener, Morgan, O'Neil and Hill, architects, appeared to give the Council a progress report on the plans for the new Police and Fire Station. He stated the plans should be completed so that the City can advertise for bids by the last of June. Council agreed that just as soon as the plans are completed, a special meeting should be called so that advertisement for bids can be made.

City Manager Brown made the following remarks:

A. Borden Chemical will be invited back before the Council concerning discharge of its effluent into the City's sanitary sewer system.

B. He called attention to guidelines set forth by the Governor's Office of Traffic Safety regarding sidewalks built to accomodate the handicapped.

C. The City is working toward getting the swimming pool ready for operation.

D. The frame house behind City Hall sold by the City had not been completely torn down by the purchaser, but the people who bought it cannot be reached. Council agreed that the City Manager should proceed to make an effort to reach the owners and give notice that the house must be completely moved.

E. There are still problems with the cul-de-sac on Brown Street and work has been halted at the present, awaiting grade level survey.

There being no further business, Council adjourned at 7:20 P. M. upon motion by Simms and second by Hendrick.

_____
MAYOR PRO-TEM

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of an Executive Session of the City Council of the City of Diboll, Texas, May 20, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, Charles Schmidt, Sam Coleman, James Simms,	Councilmen
Herman Brown,	City Manager

Members Absent:

Richard Hendrick,	Councilman

Others Present:

Moye D. Scarborough,	Director of Utilities
Jimmy Flowers,	Water & Sewer Superintendent
Sam Glass,	Parks Director

Water-Sewer-Sanitation: Mayor Clyde Thompson opened the meeting by discussing various complaints about the Department's work which had come to the attention of the Council members. Work done on private property by the Department where easements were granted were discussed. Council members were of the opinion that more care should be taken by workers when working in private property; that employees should contact property owners when they planned to work on their property.

Moye D. Scarborough stated that in most instances, at least when possible, workmen did talk with property owners prior to job work.

Councilmen asked the question as to whether or not there was any conflict between the Water-Sewer-Sanitation Department and any other Department? The discussion revealed that there was not really close cooperation between the Street Department and Mr. Scarborough's Departments. Reasons cited included general working conditions; and after work hour work. Mr. Scarborough stated that his Department employees had more "off-hour" work calls than other Departments.

He presented members of the Council with a list of duties and responsibilities which he had in managing the divisions, water, sewer and sanitation plus test and examinations and reports and discussed details and importance attached to the work.

It was stated that in past years the Water, Sewer, Sanitation and Street Departments were under one head, but that of recent years the Street Department had been separate and apart.

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Office and staff secretaries assistance to the Departments was discussed.

Problems arising from the issuance of building and other construction permits were discussed as were problems with inspections.

Mr. Scarborough cited the need for the following:

Installation of more fire hydrants, especially in the older part of the City and in some instances in new sub-division areas; need to install larger hydrants on some streets and updating charges for making water and sewer taps.

Council members advised Mr. Scarborough that his Department was doing a good job but that the Council did want to emphasize the need for cooperation among all City employees.

Engineer work, map records and engineering work for the City in general were discussed. It was stated that because some special work had been done on City needs by Griffith Engineering that the former City Manager had promised the firm that the firm could do the engineering on the next sewer project.

Parks Department

Sam Glass, Parks Superintendent met with the Council members. He outlined the problems associated with keeping the parks namely:

Late hour use of the park, particularly in the Fall when people gathered pecans at late hours and thrashed the pecan trees, thus causing damage.

Advisability of closing to traffic at night the dead-end street which extends alongside the Jaycee Pavilion.

Problem of dying trees and need for spraying and possibly fertilizing.

Fines for violation of park rules. Vandalism and thefts of park equipment.

Need for new baseball practice fields with backstops; and, installation of additional lights at the swimming pools.

Councilmen commended Mr. Glass on his good attitude and for his good work at the park, although short staffed.

It was suggested that since the City was mowing the Whispering Pine Park area that investigation should be made about the City securing a lease on the areas for use and control by the Park Department.

The Dog Ordinance was discussed. Mr. Glass cited the need for assessing some reasonable fines for Dog Ordinance violations.

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It was suggested that Ordinance 6-3006 be amended to establish a fine of $5.00 for the first day of regulation violation and $2.00 per day thereafter.

It was generally agreed that if an owner of a dog, picked up with no tag, should go ahead and have the animal innoculated and purchase a registration tag that the City Judge, if he desired, could excuse the fine, depending upon the circumstances. Suggestion was made that Dog Ordinance violators actually be given a citation by the Police Department in the presence of a humane officer, which citation would require the dog owner to appear in City Court to answer for the violation.

City Council members advised that Mr. Glass and his assistant administer the ordinance law a little more strongly with considered and good judgement to be used in each case; and, that the Council consider in regular session to amend the fines provisions of Ordinance 6-3003.

Need for building a stronger and better dog pound fence was cited. A chain-link type fence was suggested. Councilmen agreed with the suggestion and authorized City Manager Herman Brown and Sam Glass to proceed to erect the fence, approximately 200 feet for the enclosure.

Adjourn.

Clyde Thompson

Clyde Thompson, Mayor

Attest:

Herman Brown

Herman Brown
City Manager

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Minutes of Bid Opening, May 25, 1976 at 10:00 A.M. at Diboll City Hall.

Present:

Clyde Thompson,	Mayor
Herman Brown,	City Manager
Ray Paulsey,	Golf Pro
Geneva Sides,	City Secretary

City Manager stated that three bids had been received on a gang-type mower for the Golf Course. He opened the bids which are as follows:

Goldthwaites of Houston	$2,100. net
Watson	$1,961. net
T & C Equipment	$2,656. net

Mr. Brown stated that these bids include a trade allowance on the old equipment but only in the amount of not greater than $250. on the two lower bids. Mr. Paulsey stated that the old equipment could be repaired and be worth more as a stand-by unit than this trade allowance. He further stated that Toro equipment has been used at the Golf Course for several years and he is satisfied with it. Mr. Paulsey stated that Goldthwaite's offer a good service policy and calls on him regularly.

After considerable discussion, Mayor Thompson recommended that Goldthwaite's be contacted to bring the new mower, pick up the old unit and make an estimate on the repair before authorization is given to repair it. Mr. Paulsey was instructed to call the representative with Goldthwaite's and make this arrangement.

Mayor Thompson then instructed Manager Brown to poll the Council and advise them of this action. Action can be ratified at the next regular meeting of the Council.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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Minutes of a Bid Opening, May 26, 1976 at 10:00 A. M. at Diboll City Hall.

Present:

Clyde Thompson,	Mayor
Herman Brown,	City Manager
Sam Glass,	Park Director
Geneva Sides,	City Secretary

City Manager Herman Brown reported that three (3) bids have been received for a pickup for the Park. The bidders and their bids are as follows:

Greater Lufkin Ford	$3,854.00
Angelina Chevrolet-Cadillac	$3,869.17
McDonald Chevrolet	$3,778.34

Investigation of the bids revealed that all were according to specifications and all bid on a long wheel base. After discussion, Mayor Thompson recommended that the low bid from McDonald Chevrolet be accepted. He stated that Council could be notified and action can be ratified at the next regular Council meeting.

City Secretary was then instructed to call McDonald Chevrolet and advise them they were the successful bidder.

Clyde Thompson
MAYOR

ATTEST:

Geneva Sides
CITY SECRETARY

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June 2, 1976

MEMORANDUM: RE: STREET DRAINAGE PROBLEM INSPECTION

PRESENT: Mayor Clyde Thompson; Council members Richard Hendrick, Calvin Lawrence, James Simms; City Manager Herman Brown and Street Superintendent Leo Hearne.

The group met at the Intersection of Thompson Street and Temple Drive where a drainage problem was viewed, despite work already completed. Copies of proposed correction work, a contract "Change Order" were reviewed, copy of which is filed with these minutes; such change order being signed by the City's Engineer Jerry Fontaine and drainage work contractor Robert J. Moore of Moore Construction Company, Jacksonville, Texas. The suggested change order called for an additional expense of $3,390. to install additional drain grates and to install 126 feet of drainage conduit.

Leo Hearne explained the proposed work, and in recommending that the construction be done, stated that doing the work would eliminate most of the drainage problem at the intersection, except of course during any extreme flood condition.

The group approved going ahead with the contract "Change Order" at the stipulated $3,390. price.

Mr. Hearne advised that he would notify the State Highway Department, District Headquarters of the impending construction.

Council members authorized the work change and advised that the action taken would be presented at the next regular meeting of the City Council for ratification.

Clyde Thompson

Clyde Thompson, Mayor

ATTEST:

Herman Brown

Herman Brown, Manager

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MINUTES CITY COUNCIL
WORKSHOP SESSION -- OFFICE STAFF
June 7, 1976

Council members present:

Clyde Thompson, Mayor

Calvin Lawrence,
James Simms, Aldermen
Sam Coleman,
Richard Hendrick,

Staff:

Herman Brown, City Manager

Geneva Sides, City Secretary
Becky Chapman, Tax Assessor-Collector
Gloria Capps, Staff Secretary and Billing

Mayor Clyde Thompson opened the meeting by the stating of some complaints which had been directed at office personnel; such as: "person who answered the telephone was curt or impolite to me"; "I've called those girls about things needed to be done and nothing ever happens", and such other comments.

Mayor Thompson stated that he was just passing on such complaints realizing that many complaints were not justified.

How work orders were processed was discussed.

Geneva Sides stated that in most cases work orders were issued in triplicate; but that requests also came to department heads, City Manager or otherwise, some of which did not receive attention.

It was pointed out that the City Secretary balances and deposits all receipts and makes deposits, that counting money took much time each morning, with many interruptions.

Councilmen were told that the staff women had to attend to two pay windows , do secretarial work for department heads as well as carry out other assigned duties.

Operation of the computer was discussed. Staff employees advised that there were problems, especially the first year, that water, sewer, garbage bills had been placed on the computer for billing; that until the office was enlarged the office room was not an ideal place to work and serve City Hall customers due to the noise.

Staff folk were asked if there was any lack of communication between departments. The answer was, "In the past, yes." In recent months, "No."

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Herman Brown discussed ways and means to organize work and arrange work centers and establish areas of responsibility in order to better serve the people and to always present a positive attitude.

The matter of a possible small gasoline allowance for office personnel who use their cars to transact City business, such as daily trips to bank, post office, Mayor's office, City Attorney's office, etc. was discussed.

Miss Sides related that when the former City Manager had talked about purchasing a new car he had more or less promised to keep the City Manager's car, rather than trade it in, and allow office staff people to use it for the short local City business trips; but that the car was traded and not retained. It was also reported that for the past couple of months Mr. Brown had allowed them to use his (City car) when available.

Another problem was that there were some questions which arise on which the office women just could not provide answers; that on some occasions when they discussed the matter with their superior they "just never did receive an answer."

It was explained also that, at times, one person would be in office (from 1 to 2 P.M.) and that sometimes customers would be coming to the hall pay window and the drive-in window - at the same time - and on occasion direct impolite language at the person in the office.

It was generally agreed that there would always be complaints, some unreasonable, some justified but that in general such matters were well handled by office personnel.

The Council and staff discussed the fact that upon completion of the new Police and Fire Department Building more space would be available for City administration and services. It was reasoned that work area realignment would enable the staff to be more efficient.

Councilmen expressed appreciation to staff members for their cooperation in holding the workshop meeting.

Clyde Thompson

Clyde Thompson, Mayor

Herman Brown

Herman Brown, City Manager

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MINUTES, DIBOLL CITY COUNCIL MEETING
Thursday, June 24, 1976

Councilmen Present: James Simms, Calvin Lawrence, Richard Hendrick, Charles Schmidt and Mayor Clyde Thompson.

Others Present: John Sloan, City Attorney
Herman Brown, City Manager

Mayor Thompson called the meeting to order. Herman Brown delivered the invocation.

Minutes of the May meeting, mailed to council members in written form were unanimously approved upon motion by Calvin Lawrence and seconded by James Simms.

Voting Yes: Simms, Schmidt, Lawrence, Hendrick

Voting No: None

A bid to do over-lay work on Hines and Booker Streets from Moore Brothers Construction Company of Lufkin was received. Street Superintendent, Leo Hearne, stated that several contractors had been requested to bid. The project was properly advertised. He further stated that though the single bid was received the bid amount was reasonable and within estimates. Motion was made by Calvin Lawrence seconded by Charles Schmidt that the Moore Brothers bid of $18,403.60 be accepted.

Voting Yes: Simms, Schmidt, Lawrence, Hendrick

Voting No: None

Estimates 9 & 10 on the drainage work contract from Moore Construction, of Jacksonville, were presented, signed by the Engineer Jerry Fontaine and Street Superintendent, Leo Hearne, totaling $10,332.11. Motion was made by Charles Schmidt seconded by Calvin Lawrence that the estimates be approved and paid.

Voting Yes: Simms, Schmidt, Lawrence, Hendrick

Voting No: None

Motion was made by Calvin Lawrence and seconded by James Simms that the Borden Chemical Company request to place wastewater in the sewer system be denied.

Voting Yes: Simms, Lawrence, Schmidt, Hendrick

Voting No: None

Manager Herman Brown presented the matter of Revenue Sharing stating that $54,528. was anticipated to be the next payment.

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Motion was made by Calvin Lawrence and seconded by Charles Schmidt that it be reported to the government the Revenue Sharing funds to be received would be used to aid in financing the cost of the Police and Fire Department building.

Voting Yes: Simms, Lawrence, Schmidt, Hendrick

Voting No: None

The matter of placing electric "guard lights", one at each swimming pool, was discussed. Motion was made by James Simms. Seconded by Richard Hendrick that the guard lights be approved for installation at a cost of $5.35 per month each to the Texas Power and Light.

Voting Yes: Simms, Lawrence, Schmidt, Hendrick

Voting No: None

The possibility of closing the City parks for public use at 10:00 P.M. was discussed. It was stated that there was little need for citizens to use the park after 10:00 P.M.

It was further stated that the baseball park, located in the City park, should be an exception should organized games extend in length past the 10:00 P.M. suggested closing time.

Motion was made by James Simms seconded by Calvin Lawrence that closing time for the City parks be set at 10:00 P.M., exception being for organized games which might be taking place on the baseball playing field.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

The matter of the 1976 tax rate was discussed. It was stated that the City Tax Assessor had estimated the 1976 tax roll, based on 40% of value to be $19,278,339.; that anticipated revenue was estimated to be $192,783. based on a rate of $1.00 per $100. assessed valuation tax rate.

Motion was made by Calvin Lawrence seconded by James Simms that the 1976 tax rate be set at $1.00 and to be based on 40% of value; and further that the date for presenting the 1976 budget be set for August 23.

Voting Yes: Simms, Lawrence, Schmidt, and Hendrick

Voting No: None

The matter of the City not having right-of-way on Eddins Street was discussed by Mr. Hearne. He stated that he could not promise, should right-of-way secured, that the road could be made all-weather by the end of the year; but that the road could be improved and made serviceable.

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Mr. Hearne recommended that the Council approve the legal work necessary to establish boundaries and and secure the necessary 40 foot right-of-way. This seemed acceptable to some residents of the area who were present at the meeting.

Motion was made by Calvin Lawrence seconded by James Simms that the City proceed to secure the right-of-way and to make plans to improve the street.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

A Resolution, requested by the District Office of the State Highway Department, designed to correct a City Ordinance thus changing the speed limit from 60 miles per hour to 55 miles per hour on U. S. Highway 59 from North City Limits to Harris Street; to 45 miles per hour from Harris Street to Booker Street and 55 miles per hour from Booker Street to South City Limits. It was stated that these areas were already marked at the speeds mentioned by the Highway Department; the Ordinance correction is being made to correct the records brought about by the state speed limit change due to the energy crisis.

Motion by Calvin Lawrence seconded by James Simms that the suggested Ordinance be adopted and read as follows:

> Section 6-11035 Maximum speed more than thirty (30) miles per hour.
>
> (A.) On U. S. Highway 59 from North City Limits to Harris Street of Diboll that the maximum speed be at fifty-five (55) miles per hour.
>
> (G.) On U. S. Highway 59 from Harris Street to Booker Street that the maximum speed be at 45 miles per hour.
>
> (C.) On U. S. Highway 59 from Booker Street to South City Limits of the City of Diboll be at 55 miles per hour.

Voting Yes: Simms, Lawrence, Schmidt and Hendrick

Voting No: None

The matter of establishing a 35 mile per hour speed limit on the old Diboll Road from the North City Limits to Borden Street intersection was discussed. It was further stated that there existed a narrow bridge in the segment of road in question, that several resident houses were along the road. Councilman Calvin Lawrence questioned the advisability of setting a 35 mile limit along the road, stating that the speed was too low for the area

After a discussion on the matter motion was made by James Simms seconded by Charles Schmidt that the City adopt a 35 mile per hour speed limit on the segment of the old Diboll Road from the North City Limits to the Intersection of Borden Street, such ordinance change to become part (d) of Section 6-11035, as amended:

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(d) That by reason of a traffic study the speed limit on the Old Diboll Highway from North City Limits to Borden Street be at thirty-five (35) miles per hour.

Voting Yes: Simms, Schmidt, Hendrick

Voting No: Lawrence

The matter of amending the Dog Ordinance 6-3006, which had been discussed thoroughly at a workshop session, was presented. Motion was made by James Simms seconded by Charles Schmidt that Ordinance 6-3006 be amended to read as follows:

RESOLUTION AMENDING SECTION 6-3006 REDEMPTION OF IMPOUNDED DOGS:

FAILURE TO REDEEM -

6-3006 Redemption of impounded dogs; failure to redeem shall read:

(a) The owner and keeper of any dog or dogs captured or impounded under the provisions of this chapter shall be permitted and allowed during office hours within forty-eight (48) hours after such dog or dogs shall have been impounded, to redeem reclaim and again receive possession of said dog or dogs, upon payment to the City Secretary, or the City Secretary's duly authorized agent, the sum of $5.00 for the first day, or a fraction thereof, during which time, said dog or dogs may have been impounded; and for every dog or dogs so impounded which sum so paid shall be for the use and benefit of the City as well as other money received by the City Secretary under the terms of this Chapter.

Voting Yes: Simms, Lawrence, Schmidt, Hendrick

Voting No: None

Improvement of the road leading from South First Street to the City Sewer Plant was discussed, about one-half mile of road. Cost estimates prepared by the Street Department included: using oil treatment, $9,468.50; using 4" scalpings and 1" Type D Cold Lay, $8,370; and using 4" hot sand, $8,900. Mr. Hearne recommended using the "scalpings" and the Type D Cold Lay.

Council members were of the opinion that only a part of the road should be improved and surfaced at the present time. It was suggested that a critical newer road section should be done, approximately 37.5%.

Motion was by Calvin Lawrence seconded by Charles Schmidt that the Council approve improving the center section of the road, approximately 1,000 feet, at an estimated cost of $3,200 using the recommended "scalpings" and 1" Type D Cold Lay.

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Voting Yes: Simms, Lawrence, Schmidt, Hendrick

Voting No: None

A proposed Ordinance, agreed upon by members of the Council at a workshop session was presented. Motion was made by Richard Hendrick seconded by Calvin Lawrence that the following City Ordinance be approved:

> ORDINANCE PROVIDING FOR THE REPLACEMENT OF BROKEN DRIVEWAY CULVERTS WITHOUT COST TO PROPERTY OWNERS, AT THE OPTION OF THE CITY OF DIBOLL.
>
> The City of Diboll, from this date, until further order and notice, will install broken residence driveway culverts free of cost to resident property owners, under the following conditions:
>
> 1. Broken residence driveway culvert replacement must be installed by the City of Diboll in order to accomplish proper drainage; each culvert to be replaced must in size and width in accordance with recommendation made by the Street Superintendent, and approved by the City Manager.
>
> 2. The culvert to be installed shall be of reinforced concrete.
>
> 3. Should a resident, after this date, install a driveway culvert which is not reinforced concrete, such resident will not be eligible to have the culvert replaced free of cost, should such culvert become broken.

Voting Yes: Hendrick, Schmidt, Lawrence and Simms

Voting No: None

The matter of adopting an Ordinance to prohibit the posting and exhibiting of signs and posters and placards on utility poles, or trees located on public property was discussed.

Motion was made by James Simms seconded by Richard Hendrick that City Ordinance as follows be adopted:

> BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DIBOLL: That hereinafter it shall be unlawful for any person or persons to post, tack, or in any manner exhibit upon any electric, telephone or public utility pole, public building, tree in public parks or in public right-of-way within the City of Diboll, Texas any dodger, circular, printed or stamped bulletin or advertisement, poster, placard or whatsoever character.
>
> Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $200.00.

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Voting Yes: Simms, Hendrick, Schmidt, Lawrence

Voting No: None

City Manager Herman Brown made a progress report as follows: The drainage work contractors would start work on the final stages of the project on Monday, June 28.

The City might have to amend the Waste Water Ordinance so as to comply with provisions desired by the Environmental Protection Agency.

The Workshop sessions report was written and pending approval of the City Council members.

The contract to build the sidewalks on Thompson and School Streets was progressing and due completion soon.

Sales Tax for May totaled $24,027.49.

The Manager and Parks Director are working with the County Agent with regard to pecan trees treatment in the park.

The Dog Pound, a new one, fence had been completed; the trailer to haul the bulldozer has been purchases; the pickup for the Parks Department had been ordered.

Adjourn.

Attest:

Clyde Thompson
Mayor

Herman Brown
City Manager

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MINUTES, SPECIAL CALLED MEETING
DIBOLL CITY COUNCIL
MONDAY, JULY 12, 1976 - 10:00 A.M.

Present: Clyde Thompson, Mayor

James Simms,
Richard Hendrick, Aldermen
Charles Schmidt,

Herman Brown, City Manager

Mayor Thompson presided at the meeting. He requested Herman Brown to give the invocation.

Mayor Thompson stated that the purpose of the meeting was to officially select a new City Manager. Applicant Jeff Holberg was interviewed on July 8 by council members Thompson, Simms, Schmidt and Lawrence and Herman Brown, Interim City Manager and have recommended the employment of Mr. Holberg.

Motion was made by James Simms, seconded by Charles Schmidt that Mr. Jeff Holberg of Paris, Texas be employed as City Manager starting August 2 at a beginning salary of $15,000. per year; that Mr. Holberg's moving expense from Paris to Diboll be paid by the City of Diboll; that Mr. Holberg's dues in the Texas City Manager's Association be paid, and further, that the City pay Mr. Holberg "out-of-pocket" expenses which might be incurred when attending City Management meetings, State governmental, Commissions and Hearing meetings which Mr. Holberg may deem necessary to attend to the best interests of the City's operation.

Voting Yes: Schmidt, Hendrick, Simms

Voting No: None

Adjourn.

Attest:

Clyde Thompson

Clyde Thompson, Mayor

Herman Brown

Herman Brown

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ORDINANCE ESTABLISHING MAXIMUM SPEED OF MOTOR VEHICLES IN CERTAIN AREAS AS DESIGNATED

WHEREAS, the State Department of Highways and Public Transportation has made its recommendations to this Commission for such speed zone areas, and

WHEREAS, the City Commission of Diboll has studied such recommendations and believe them to be realistic and proper for the City of Diboll,

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Diboll that the maximum speed for these areas applicable shall be as follows:

U. S. 59

From the North City Limits of Diboll (Hwy. Engr. Sta. 440 + 40.3) to Harris Street (Hwy. Engr. Sta. 530 + 09) a distance of approximately 1.699 miles at a speed of 55 M. P. H. in either direction.

From its intersection with Harris Street (Hwy. Engr. Sta. 530 + 09) to its intersection with Booker Street (Hwy. Engr. Sta. 579 + 06) a distance of approximately .927 mile at a speed of 45 M. P. H. in either direction.

From its intersection with Booker St. (Hwy. Engr. Sta. 579 + 06) to the South City Limits of Diboll (Hwy. Engr. Sta. 618 + 48) a distance of approximately .746 mile at a speed of 55 M. P. H. in either direction.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon approval and publication.

PASSED AND APPROVED this 24th day of June, 1976.

Clyde Thompson

Clyde Thompson, Mayor
City of Diboll

Geneva S. Ard

City Secretary
City of Diboll

Note: This Resolution mailed to District 11
State Highway Engineer's Office..H. Brown

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, July 19, 1976 at 6:00 in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
James Simms, Calvin Lawrence, Richard Hendrick, Samuel Coleman, Charles Schmidt,	Councilmen

Members Absent:

None

Also Present:

Phillip Leach,	City Attorney

Meeting was opened with prayer by Alderman Coleman.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Simms, Lawrence, Hendrick, Coleman and Schmidt

Voting No: None

Mr. Jerry Hill, architect with Wiener, Morgan, O'Neil and Hill, appeared before the Council to present final plans on the proposed fire and police station and remodeling of the present City Hall facilities. Mr. Hill explained changes that had been made and showed in detail the proposed fire station. After considerable review of plans and discussion, Simms moved that the plans be accepted and that the City advertise for bids to be received August 19, 1976 at 6:00 P.M. This will afford sufficient time for legal publication of the advertisement. Second by Coleman.

Voting Yes: Simms, Lawrence, Hendrick, Coleman and Schmidt

Voting No: None

Alderman Simms reported that he has had numerous inquiries and complaints concerning the non-billing procedures at Diboll Tele-Vue. Mr. Simms stated that he feels the Council should recommend to the cable company that it resume sending monthly statements. Mayor Thompson disagreed stating that the City cannot tell a private company how it should bill. There was considerable discussion concerning this. A cable company representative who was present explained that the company is considering a coupon book for each customer. However, he did not know how soon this will be. After much discussion, Simms moved that the City recommend, in writing, that the cable

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company resume some type of billing procedures. Second by Coleman.

Voting Yes: Simms, Coleman, Schmidt and Hendrick

Voting No: None

Abstain: Lawrence

Alderman Simms stated that the Manager of the cable company, Mr. Bill Gentry, may attend the next meeting of the Council if he would like to discuss the billing procedure further.

Interim Manager Brown presented a sketch of proposed one-way signs for Rutland and Devereaux Streets during football season only. The signs would be hinged to read one-way during this time and the rest of the year turn to a safety slogan. Mr. Brown stated that no parking on one side of Rutland and one side of Devereaux is also recommended by the Police Department. This will be in football season only. Patrolman Jess Lewis pointed out that this has been done in the past but that the City does not have an ordinance to cover it. After much discussion, Hendrick moved that the City pass an ordinance to change the parking and traffic procedures on Rutland and Devereaux Streets from September 1 to November 30, from the hours of noon until midnight on Thursday and Friday unless otherwise designated by the Police Chief. Mayor Thompson instructed City Attorney to prepare the necessary ordinance. Second by Simms.

Voting Yes: Simms, Coleman, Schmidt, Hendrick and Lawrence.

Voting No: None

Manager Brown read a letter from City Attorney John Sloan regarding jurisidiction over the Burke Water Supply and Prairie Grove Water Supply Systems. He stated that a hearing will be held in Austin to hear from the City concerning this. After discussion, Council agreed to await an opinion of City Attorney Sloan before any claims be made to the Texas Utility Commission in Austin.

Mr. Brown stated that Council needs to appoint a member to represent Diboll on the Deep East Texas Council of Government Executive Committee. After brief discussion, Hendrick moved Mayor Thompson be appointed. Second by Simms. Mayor Thompson asked Mayor Pro-Tem Lawrence to call for the vote.

Voting Yes: Simms, Coleman, Schmidt and Hendrick

Voting No: None

Mr. Brown presented final estimates on the drainage contract from Moore Construction in the amount of $24,736.55 and Fontaine and Associates for engineering on the project in the amount of $5,430. Mr. Brown stated however that City Street Superintendent, Leo Hearne is ill and has not seen the final estimates. Mr. Brown stated that he feels Mr. Hearne should finally approve the drainage work before payment is made, if Council is willing. He stated that for all practical purposes, the drainage contract is completed. Mayor Thompson stated that the City should receive a set of as-built plans before payment is made to the engineer. After discussion, Mayor Thompson recommend-

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ed that the payments be approved subject to approval by Leo Hearne and Herman Brown. Council accepted this recommendation.

Interim Manager Brown reported the following:

A. The City needs to revise its Industrial Waste Ordinance to comply with EPA standards with regard to rate schedule.

B. The Bicentennial Tree Planting Committee will meet July 27, 1976 at 10:00 A.M. at Temple Memorial Library.

C. A copy of suggested changes in City ordinances was given to each Alderman for study for possible amemdments at the next regular meeting. A copy is attached to these minutes.

D. The Park Department has ordered fertilizer and spray to use on the Pecan trees in the City Park.

There being no further business, Council adjourned at 7:15 P.M.

_____
Mayor Clyde Thompson

ATTEST:

_____

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, August 16, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Richard Hendrick, Samuel Coleman, Charles Schmidt,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Coleman.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

There were no reports from City Boards or Commissions.

Mr. Holberg presented a contract authorizing cathodic protection on the City's water storage facilities from Wallace and Tiernan Company. He stated the contract for a year is in the amount of $468.00. He explained this is a standard preventative maintenance item on the City's 750,000 gallon ground storage tank. After Mr. Holberg's explanation and Council discussion, Simms moved this contract be accepted and the amount paid after October 1, 1976. Second by Lawrence.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

City Manager stated that Moore Construction has completed the drainage project and final estimate in the amount of $24,903.45 is due. The total contract amounted to $159,909.67. He also reported $5,430.00, final payment to Fontaine and Associates

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for engineering on the drainage project is due. Street Superintendent, Leo Hearne agreed that the drainage project is complete and payment should be made. However, Mr. Hearne stated that he would recommend holding the payment to J. F. Fontaine until all necessary documents are presented to the City. It was noted that a set of as-built plans for the wastewater treatment plant have not been received and these should be presented with the drainage documents. Mr. Hearne further stated that the work still to be done on Nelson Street is not part of the drainage contract and will be completed in approximately two weeks. After discussion, Lawrence moved the drainage project be accepted and final payment made to Moore Construction and that payment to Fontaine and Associates be held until City Manager is satisfied that all documents have been received by the City. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mr. Holberg stated that a problem has arisen with regard to the street improvement contract with Moore Brothers Construction Company for improvements to Hines and Booker Streets. The Manager reported that an error had occurred in determining the type of base on a portion of the area to be improved. A sketch was presented to the Council showing a 355 ft. section of street which was shown in an old engineering report as being soil-cement base, but after investigation, found to be iron ore sand and what appears to be a high clay content. Mr. Holberg presented several plans of action that can be taken. If the present base is used, the City would facr new pavement failures within a short time. Any of the amended plans will mean additional cost not included in the contract. It could mean as much as $3,000. additional above the contract. After much discussion, Lawrence moved to authorize the Manager to work with the Street Superintendent and Contractor and accept the most feasible route so that the base will be adequate for the overlay. Second by Schmidt.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

The Council was presented with a list of recommendations regarding Municipal court fines and bonds as prepared by the Chief of Police, Municipal Court Judge and City Attorney. Chief Wolf stated that the amounts are in keeping with other cities in the area. After discussion, Lawrence moved the recommendations be approved. Second by Hendrick.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

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The list of recommendations is attached to and made part of these minutes.

The Council discussed amendments to the Traffic Ordinance as were presented in written form for study at the last meeting. After discussion, Mayor Thompson recommended these be referred to the City Attorney for study before adoption. The Council accepted Mayor Thompson's recommendation.

Moy D. Scarborough reported to the Council concerning the meeting in Austin with the Texas Public Utilities Commission. City Attorney John Sloan also attended the meeting. Mr. Scarborough stated the City requested certification for water and sewer service within the City and the City's one-half mile extra-territorial jurisdiction. He stated that no decisions have been made at this time. Council discussed this matter thoroughly but no action was taken.

City Manager reported that several structures in town are in a state of disrepair. Two of these structures are near the schools. They are fire hazards, unsightly, and possible health hazards. These two owners have been notified previously that their property is condemned by the City. Simms moved that these owners be notified and given a specific date, if not improved, the City will take action. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Manager Holberg reported that the City has received a request from Sabine Investment Company to change the name of Tanglewood Street to Wells Street in the Shannan Forest Addition. This is to honor the Wells family. After brief discussion, Lawrence moved the name change be accepted. Second by Simms.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mr. Holberg stated that he has received word that summer recreation funds may be available through a grant. He asked that if the Council is interested, an authorization is needed to request these funds. Simms moved that Mr. Holberg be given authorization to request any funds available. Second by Coleman.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

City Manager then explained that these funds are very restricted and must be used by the end of September although they were funded late in the year. He stated that these funds could be used to defray expense at the City's swimming pools if they are kept open after school starts. After considerable discussion, Lawrence moved the City's pools remain open and if grant money is received

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apply it there. The pools will close at the discretion of the City Manager. Second by Schmidt.

Voting Yes: Lawrence, Simms, Hendrick, Coleman and Schmidt

Voting No: None

Mayor Thompson then stated that the Council would go into executive session to consult with the City Attorney and would return to regular session before adjournment.

The Council reconvened and Mayor Thompson stated that action was taken in the executive session to employ the firm of Zelesky Law Offices to represent the City. He explained that Chief of Police has been named in a law suit and since the City will be involved, City Attorneys recommend that outside legal counsel be employed.

There being no further business, Council adjourned at 7:40 P. M. upon motion by Coleman.

Clyde Thompson
MAYOR

ATTEST:

Geneva Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, September 20, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
James Simms, Calvin Lawrence, Charles Schmidt, Samuel Coleman, Richard Hendrick,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Coleman.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Simms.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

Mr. Holberg reported that bids have been received on the fire and police station and remodeling of City Hall. The bids were opened and read as follows:

Coyote Construction, Inc.	$227,636.00
L. Richardson and Sons	253,710.00
Temple Associates, Inc.	198,400.00
Thomas and Thompson	231,540.00

After brief discussion, Mr. Holberg stated the bids will be reviewed and investigated to determine if all documents are in order and a special meeting will be called to award the contract.

Mayor Thompson reported that a zone change application from Glenn Shivers for .87 acre portion of a tract of land out of the J. A. Prado League has been approved by the Planning and Zoning Commission. The Commission recommends that the portion be rezoned from PD to a C-2 zone. No one present opposed the zone change. After discussion,

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Simms moved to accept the recommendation of the Planning and Zoning Commission and to instruct the City Attorney to amend the zoning ordinance. Second by Lawrence.

Voting Yes: Simms, Lawrence, Coleman, Schmidt and Hendrick

Voting No: None

Mayor Thompson then reported that the Planning and Zoning Commission recommends that Lot 2, Block 1, Devereaux Addition, be rezoned from R-1 to C-2. This is an application from Temple Industries. After brief discussion, Simms moved the Council accept the recommendation of the Planning and Zoning Commission.

Voting Yes: Simms, Lawrence, Coleman, Schmidt and Hendrick

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI, CHAPTER 18, SECTION 6-18016 OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973 AUTHORIZING THE ZONING OFFICIAL OF THE CITY OF DIBOLL TO INDICATE CERTAIN CHANGES ON THE ZONING DISTRICT MAP USED FOR ADMINISTRATIVE PURPOSES."

Mrs. Ellen Temple and Mrs. Nan Miller were present to represent the Town Beautification Committee. The committee has requested that the City assist with the bicentenial project which will be the planting of 200 oak trees. They have also requested that the City act as fiscal agent and receive the donations for the trees and to maintain the trees after planting. Mr. Holberg stated that it is possible for the City to act as fiscal agents and to maintain the trees planted on public rights-of-way and City owned property. Trees planted on private property without appropriate easements cannot be maintained by the City. After discussion, Hendrick moved the City act as fiscal agent and help maintain the trees after planting. Second by Simms.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

City Manager stated that the Park and Recreation Board has recommended that high school students be prohibited from participating in adult golf tournaments in the City Park. Participation and winning of prizes in tournaments is a violation of Interscholastic League rules.

The Park Board also recommended that all tournaments be limited to 64 two man teams. Lawrence moved these recommendations be accepted and approved. Second by Coleman.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

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The Park Board has approved a request from Sabine Investment to relocate the cart barn at the golf course to a site on the east side of the ball field. Sabine Investment will move the structure at no cost to the City. Lawrence moved, Hendrick seconded to approve this request.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

The Park Board further recommended the City adopt the budget for the Golf Course as presented in the proposed budget for 1975-76. After brief discussion, Council agreed to adopt this when the entire budget is adopted.

Attorney Sloan read the caption of an ordinance adopting one-way street system on Durham, Rutland and Devereaux during home football games. This will include "no parking" on one side of Devereaux, one side of Rutland and one side of Durham. Each of these streets may be entered from only one way during this time. This will help alleviate the congested traffic problem during game time. Lawrence moved the ordinance be adopted. Second by Simms.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI, CHAPTER 11, SECTION 6-11063 OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, PROVIDING FOR ONE-WAY TRAFFIC AT CERTAIN TIMES ON A PORTION OF DEVEREAUX AND RUTLAND STREET AND CONTAINING A SAVINGS CLAUSE."

Attorney Sloan read the caption of an ordinance regulating signs and handbills on public property and public right-of-way. Lawrence moved the ordinance be adopted. Second by Coleman.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick.

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, BY ADDING CHAPTER 20 WHICH REGULATES THE POSTING OF BILLS, ET CETERA ON PUBLIC PROPERTY AND ON PUBLIC RIGHTS-OF-WAY: PROVIDING PENALTY FOR VIOLATIONS BY PRESCRIBING A FINE NOT EXCEEDING $200.00 AND CONTAINING A SAVINGS CLAUSE."

City Attorney read the caption of an ordinance regarding driveway culverts. Council agreed on the contents of this ordinance

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at the meeting of June 24, 1976. Lawrence moved the ordinance be adopted. Second by Hendrick.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART V, CHAPTER 8, SECTION 5-8013 OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, BY ADDING SUB-SECTION (c), ESTABLISHING DRIVEWAY CULVERT REPLACEMENT POLICY AND CONTAINING A SAVINGS CLAUSE."

City Manager Holberg stated that it will not be necessary to increase the existing tax rate which is 40% of the fair market value at $1.00 per hundred dollar valuation. He read the caption of an ordinance adopting the rate. Lawrence moved the ordinance be adopted. Second by Simms.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE FIXING THE TAX RATE, AND TAX LEVY FOR THE CITY OF DIBOLL FOR THE FISCAL YEAR 1976-77, UPON ALL TAXABLE PROPERTY IN SAID CITY OF DIBOLL, TEXAS, IN CONFORMITY WITH EXISTING STATE STATUES AND ORDINANCES OF SAID CITY OF DIBOLL: APPROPRIATING THE FUNDS DERIVED FROM SAID TAX LEVY TO VARIOUS FUNDS: REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH:"

City Manager reported that the City's NCR 399 accounting machine is not covered by a maintenance contract. He stated that the City can enter a contract that covers all parts and labor and regular routine service for $1,900. a year. Since the parts for the machine are very expensive, Mr. Holberg recommended entering into a maintenance agreement. Lawrence moved to accept the Manager's recommendation. Second by Simms.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

Mayor Thompson stated that a public hearing was in session to hear discussion concerning the 1976-77 budget. No one present spoke for or against the adoption of the budget.

Mr. Holberg then read the ordinance to adopt the budget. After reading the ordinance and brief discussion, Lawrence moved the

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the budget be adopted for the fiscal year 1976-77. Second by Simms.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE ADOPTING THE 1976-77 BUDGET: MAKING APPROPRIATIONS FOR THE CITY GOVERNMENT OF THE CITY OF DIBOLL, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1976, AND ENDING SEPTEMBER 30, 1977; AND DECLARING AN EMERGENCY."

City Manager stated that an auditing firm needed to be retained for the fiscal year ending September 30, 1976, and recommended the City retain the firm of Axley and Rode. Lawrence moved to accept the Manager's recommendation. Second by Simms.

Voting Yes: Simms, Lawrence, Schmidt, Coleman and Hendrick

Voting No: None

City Manager stated several amendments to the Traffic Ordinance have been referred from the previous meeting. He read and explained each amendment. After discussion, Lawrence moved the amendments be adopted and an ordinance be prepared. Second by Hendrick.

Voting Yes: Simms, Lawrence, Coleman, Schmidt and Hendrick

Voting No: None

The caption of the ordinance is as follows:

" AN ORDINANCE AMENDING PART VI, CHAPTER 11, SECTION 6-11041 OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, AUTHORIZING EXISTING TRAFFIC CONTROL DEVICES, THE INSTALLATION OF NEW TRAFFIC CONTROL DEVICES, SIGNALS AND SIGNS, AND DIRECTING THE CITY MANAGER AND/OR STREET SUPERINTENDENT TO ERECT SUCH DEVICES, SIGNALS AND SIGNS AS MAY BE PROVIDED FOR IN ANY SUBSEQUENT ORDINANCE; OR PROVIDING FOR THE PRIMA FACIE EVIDENCE RULE WITH RESPECT TO SUCH DEVICES, SIGNALS AND SIGNS AS MAY BE ACTUALLY INSTALLED AND CONTAINING A SAVINGS CLAUSE."

Mayor Thompson stated the terms of H. G. Stubblefield, Jr., Ken Holt, Albert Delco and Dr. R. W. Ingram on the Park and Recreation Board have expired. He recommended these be reappointed for another term. Lawrence moved to accept the Mayor's recommendation. Second by Simms.

Voting Yes: Simms, Lawrence, Coleman, Schmidt and Hendrick

Voting No: None

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Manager Holberg explained that in order to receive the funds from the $100,000. Community Block Grant, a resolution authorizing the Mayor to sign the necessary forms needed to be adopted. Lawrence moved Mayor Thompson be authorized to sign the forms. Second by Hendrick.

Voting Yes: Simms, Lawrence, Coleman, Schmidt and Hendrick

Voting No: None

Mr. Holberg then recommended signatures on the Community Development Block Grant application draw forms be Geneva Ard, Becky Chapman, James Simms and Jeff Holberg. He recommended that two signatures be required on each draw. After brief discussion, Lawrence moved the Council accept the Manager's recommendation. Second by Schmidt.

Voting Yes: Simms, Lawrence, Coleman, Schmidt and Hendrick

Voting No: None

Manager Holberg presented a resolution supporting the fair housing for the Community Development Block Grant. He explained that HUD requires that the City encourage and support fair housing practices. After Mr. Holberg read the resolution, Simms moved it be adopted. Second by Coleman.

Voting Yes: Simms, Lawrence, Coleman, Schmidt and Hendrick

Voting No: None

No action was taken concerning adopting an Affirmative Action Policy with regard to fair housing because more work is needed before adoption.

Mr. Holberg stated that for sometime the City has been considering a retirement program for the employees of the City. He stated that he feels the program offered by Texas Municipal Retirement System is a good plan and asked for Council decision in whether the City will match the employee's contribution to join the system. After brief discussion, Simms moved the City join the Texas Municipal Retirement System effective October 1, 1976. Second by Hendrick.

Voting Yes: Simms, Lawrence, Coleman, Schmidt and Hendrick

Voting No: None

Mr. Holberg further stated that each Department had been given a chance to vote to see if the retirement is wanted, and all but one Department, the Administration, had carried, even though some employees did not want the retirement. However, the City Secretary, Tax Assessor-Collector and Billing Clerk did not wish

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to participate. Mrs. Becky Chapman, Tax Assessor-Collector appeared before the Council to speak against the retirement. City Secretary, Geneva Ard, also spoke against participating in the retirement program. After discussion, Mr. Holberg read an ordinance which, if passed, would govern the rules and regulation of the retirement system. Lawrence moved that the City participate 100% in the retirement and that no Department be excluded, and that the ordinance be adopted. Second by Simms.

Voting Yes: Simms, Lawrence, Coleman, Schmidt and Hendrick

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE PROVIDING FOR PARTICIPATION IN THE SUPPLEMENTAL BENEFITS FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY ALL DEPARTMENTS OF THE CITY GOVERNMENT WHICH NOW PARTICIPATE IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM: AND PROVIDING FOR PAYMENT OF THE CITY'S CONTRIBUTIONS ON ACCOUNT OF SUCH PARTICIPATION."

There being no further business, Council adjourned at 7:55 P.M. upon motion by Lawrence.

Elyse Thompson
MAYOR

ATTEST:

Geneva Ard
CITY SECRETARY

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Minutes of a special meeting of the City Council of the City of Diboll, Texas, September 27, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
James Simms, Calvin Lawrence, Samuel Coleman, Charles Schmidt,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

Richard Hendrick,	Councilman

Meeting was opened with prayer by Alderman Coleman.

Mayor Thompson explained the meeting had been called to consider awarding a bid on the proposed fire and police station and remodeling of the present City Hall.

City Manager Holberg stated that he, the architect and City Attorney have reviewed the bid from Temple Associates and found it to be in order. He recommended the City accept the low bid from Temple Associates in the amount of $198,400. Lawrence moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Simms, Lawrence, Coleman and Schmidt

Voting No: None

Mr. Holberg reported that the City has received a request from Temple Industries for a waiver to install a liquid propane filling station near the existing liquid propane tanks. Mr. Holberg explained this is requested through the Railroad Commission and its specifications, although the City will need to give approval. Mr. Holberg stated that he would recommend the City grant the waiver with two conditions: the work be done in accordance with Texas Railroad Commission requirements and that annual inspections of the facilities be made. After brief discussion, Lawrence moved the Manager's recommendation be accepted. Second by Simms.

Voting Yes: Simms, Lawrence, Coleman and Schmidt

Voting No: None

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In other business, Manager Holberg reported that the annual Texas Municipal League meeting will be held in Dallas on November 14-16 and urged Council and Mayor to attend.

There being no further business, Council adjourned at 6:10 P.M.

_____
MAYOR

ATTEST:

Geneva Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, October 18, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

Calvin Lawrence,	Mayor Pro-Tem
James Simms, Richard Hendrick Charles Schmidt,	Councilmen
Jeffrey Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

Clyde Thompson,	Mayor
Samuel Coleman,	Councilman

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Hendrick.

Alderman Hendrick moved to waive the reading of the minutes of the previous meeting and if any corrections or additions are needed, make these at the next regular meeting. Second by Simms.

Voting Yes: Simms, Hendrick, Schmidt

Voting No: None

Manager Holberg stated that the Planning and Zoning Commission or the Park and Recreation Board have not met this month and he has no report. Alderman Hendrick then asked about the City's subdivision ordinance which the Planning and Zoning Commission has been studying for several months. He stated this should be updated and passed as soon as possible. Mr. Holberg stated that he is not familiar with this, but will call the Planning and Zoning Chairman to see if the ordinance could be discussed at the earliest time possible.

Manager Holberg then asked the Council to consider setting a bid date for receiving bids on the following:

Two (2) Police vehicles
One (1) 3/4 ton pickup for the Water and Sewer Department
One (1) greens mower for golf course
One (1) back-up garbage truck
Sale of the City's old NCR posting and billing machine

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Mr. Holberg stated that all these items have been included in the budget for the coming year. The back-up garbage equipment will include a reconditioned side loader mounted on the City's chassis of the old truck and trade-in of the old packer body. This has been discussed previously.

The old billing equipment will no longer be of use to the City since special forms would always have to kept in stock should the City's present computer fail. Also, the operator would not be familiar with the old machine.

After brief discussion, Simms moved that bids be taken on all the listed items and opening date be set for November 10, 1976. Second by Hendrick.

Voting Yes: Simms, Hendrick and Schmidt

Voting No: None

Mr. Holberg then stated that the regular meeting in November will be on the 15th which is also the date of the Texas Municipal League meeting in Dallas. He stated that since he, the Mayor and City Secretary will be attending, would Council consider postponing the regular meeting until November 22. Hendrick moved the regular meeting of the City Council be postponed until November 22. Second by Simms.

Voting Yes: Simms, Hendrick and Schmidt

Voting No: None

The bids received on November 10 will be discussed at the regular meeting on November 22.

Manager Holberg presented an amendment to the Traffic Ordinance that has been discussed at previous meetings. After explaining the contents and brief discussion, Hendrick moved the amendment be passed and adopted. Second by Simms.

Voting Yes: Simms, Hendrick and Schmidt

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI, CHAPTER 11, SECTIONS 6-11027, 6-11029, 6-11039 and 6-11040 OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, AMENDING LIMITATIONS ON TURNING AROUND, REPEALING PROVISION ON RECKLESS DRIVING, PROVIDING THAT THE CITY MANAGER MAY ESTABLISH TRAFFIC REGULATIONS, PROVIDING THAT THE CITY MANAGER SHALL PLACE AND MAINTAIN TRAFFIC CONTROL SIGNS; AND CONTAINING A SAVINGS CLAUSE."

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Mr. Holberg stated that at the present time one person in the office is responsible for receiving bills, charging these to the proper account, writing the checks and signing them. This includes the payroll account and accounts receivable. From a practical standpoint, as well as proper accounting procedures, the current process should be rearranged. Mr. Holberg stated that as a first step in reorganization, check signing should be changed. He recommended that the City Manager be authorized to sign checks instead of the City Secretary. After discussion, Simms moved the Manager's recommendation be accepted. Second by Hendrick.

Voting Yes: Simms, Hendrick and Schmidt

Voting No: None

City Manager reported that at the last meeting Council had discussed dilapidated structures in various parts of the City. Two property owners were contacted and given deadlines for either making improvements or tearing the structures down. At this time one of the owners has not responded and the other has asked for an additional 60 to 90 days to make improvements so the structure could be brought up to standard. Mr. Holberg stated that before the City takes final action, a public hearing should be held. He further stated that the building official has found several other structures not in compliance with the City's building codes. After brief discussion, Hendrick moved that the public hearing be held on November 22, 1976 in conjunction with the regular meeting. Second by Simms.

Voting Yes: Simms, Hendrick and Schmidt

Voting No: None

City Manager then reported that the City is involved in helping to place the 200 oak trees being planted for the bicentenial. He stated that he felt at this time the City should adopt an ordinance prohibiting removal of brushes, trees or shrubs on City property. Mr. Holberg stated that this will not affect the normal maintenance or cutting of dead trees and shrubs. After considerable discussion, Simms moved this be referred to the City Attorney and that an appropriate ordinance be drafted for adoption at the next regular meeting. Second by Hendrick.

Voting Yes: Simms, Hendrick and Schmidt

Voting No: None

The City Manager reported the following for information purposes.

The City's Industrial Waste Ordinance is in compliance with the Texas Water Quality Board.

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The sewer line behind Smith's Laundrymat has not been replaced due to the fact that it is located on Southern Pacific Railroad right-of-way. He stated the owner of the laundry has been paying a rental fee of $25. per year to the railroad and it is possible that if the City assumes the responsibility of replacement, it will also assume the responsibility of the yearly rental payment. After discussion, Council agreed that the City Manager should investigate thoroughly any liabilities connected with the sewer line before it is replaced.

There being no further business, Council adjourned at 6:50 P. M. upon motion by Hendrick.

Calvin Lawrence
MAYOR PRO-TEM

ATTEST:

Geneva Ord
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, November 22, 1976 at 6:00 P.M. in the meeting room at Diboll City Hall.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, James Simms, Charles Schmidt, Richard Hendrick,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

Samuel Coleman,	Councilman

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Lawrence.

Lawrence moved to dispense with the reading of the minutes of the previous meeting and they be approved as previously submitted to each Alderman in writing. Second by Simms.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

Mayor Thompson stated that a public hearing was now in session to hear information regarding dilapidated structures that have been condemned by the City. M.D. Scarborough, BuildingOfficia, reported that six structures have been condemned and with the exception of one owner, all have responded by either tearing down the structure or making arrangements to bring the structures up to standard. The property owner not responding is J. Arthur Johnson. Manager Holberg recommended that the City proceed with condemnation procedures against this property. Mr. Scarborough stated that the other owners have been given an ninety-day extension with the exception of Romie Blount at 103 Beech Street. Mr. Blount was present to ask for longer than three months. After considerable discussion, Hendrick moved that the City proceed with condemnation prodecures on J. Arthur Johnson, give ninety day extensions to the other four owners and a six month extension to Romie Blount which would be May 1977. Second by Lawrence.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

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Manager Holberg stated that a pressure sewer cleaner has been included in the budget and asked for authorization to advertise for bids to be received December 15, 1976 at 10:00. Second by Simms.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

The bids will be considered at the regular meeting on December 20.

Mr. Holberg stated that the City is almost ready to draw on the Community Block Grant money and that an engineering firm needs to be selected. He explained the procedure he feels should be used when making this selection. After discussion, Simms moved the City requests resumes or proposals from engineering firms to be received on December 15 and consider these on December 20. Second by Hendrick.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

City Attorney presented a draft of an ordinance prohibiting the removal of trees and shrubs on City property. The ordinance was read in full. After the reading, Lawrence moved the ordinance be adopted. Second by Simms.

Voting Yes; Lawrence, Simms, Schmidt and Hendrick

Voting No; None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI OF THE CODE OF THE CITY OF DIBOLL, TESAS, 1973, BY ADDING CHAPTER 21 WHICH REGULATES THE PLANTING OF TREES, FLOWERS AND SHRUBS ON PUBLIC RIGHTS-OF-WAY AND PARKS AND PROHIBITING THE DESTRUCTION, DISFIGURING, ET CETERA, OF SHRUBBERY OR TREES: PROVIDING A PENALTY FOR VIOLATION BY PRESCRIBING A FINE NOT TO EXCEED $200.00 AND CONTAINING A SAVINGS CLAUSE."

Manager Holberg reported that bids had been received on two Police vehicles. The bidders and their bids are as follows:

Greater Lufkin Ford Ford	Unit	$ 5,386.66	
	Gross	10,773.32	
	Trade-in	1,300.00	$9,473.32
Doug Williamson Dodge	Unit	5,496.15	
	Gross	10,992.30	
	Trade-in	350.00	10,642.30

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Angelina Chevrolet-Cadillac	Unit	$ 5,290.51	
	Gross	10,581.02	
	Trade-in	1,500.00	$9,081.02

Mr. Holberg explained that the bids have been reviewed and recommended that the low bid from Angelina Chevrolet-Cadillac be accepted. Lawrence moved to accept the Manager's recommendations. Second by Simms.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

Mr. Holberg reported bids have been received on one 3/4 ton pickup for the Water and Sewer Department. The bidders and their bids are as follows:

Greater Lufkin Ford	Unit	$ 5,956.58	
	Trade-in	1,179.91	$4,776.67
Doug Williamson Dodge	Unit	$ 5,236.35	
	Trade-in	100.00	$5,136.35
Angelina Chevrolet-Cadillac	Unit	$ 4,637.88	
	Trade-in	100.00	$4,537.88

After discussion, Lawrence moved to accept the low bid from Angelina Chevrolet-Cadillac. Second by Simms.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

City Manager reported that only one bid was received on a greens mower for the Golf Course. It is from Goldthwaites in the amount of $3,495.00. After brief discussion, Lawrence moved the bid be accepted. Second by Hendrick.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

Mr. Holberg explained that one bid was received on a reserve garbage truck. The net amount is $4,000. which includes trade of $1,000. on the old rear loader, and is from Pak-Mor of San Antonio. Schmidt moved this bid be accepted. Second by Simms.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

Mr. Holberg further explained that no bids were received on the NCR Billing Machine and he would like authorization to advertise for bids in Texas Town and City. Lawrence moved an advertisement be placed in Texas Town and City. Second by Hendrick.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

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City Manager stated that dump truck and pickup truck have been budgeted for the Street Department and recommended that bids be received on December 15, 1976 at 10:00 P.M. After brief discussion, Lawrence moved to accept the Manager's recommendation. Second by Simms.

Voting Yes: Lawrence, Simms Schmidt and Hendrick

Voting No: None

Mr. Holberg reported that the City's personnel policy does not include Christmas Eve as an official holiday. He recommended that Christmas Eve be added to the City's official holidays as a full day off with pay. He recommended that if Christmas Eve falls on Friday, that the Friday following Thanksgiving be given in its place and Christmas Day holiday would then be given on Friday, (December 24th). If Christmas day falls on a Sunday the holiday for Christmas Day would then be the following Monday. After discussion, Lawrence moved the recommendations be accepted. Second by Schmidt.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

City Manager explained that Council needs to determine if the City will make pre-application for funding for the next fiscal year for a Community Block Grant. He stated that if the City intends to apply, two public hearings need to be held for citizen input on the needs in the Community. After discussion, Lawrence moved the City make application and set the public hearing dates for November 30, 1976 at 6:00 P.M. and December 7, 1976 at 6:00 P.M. Second by Simms.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

City Attorney presented a draft of an ordinance regulating display of certain magazines in local businesses. After reading and discussing the ordinance, Hendrick moved it be passed.

Voting Yes: Lawrence, Simms, Schmidt and Hendrick

Voting No: None

The ordinance will be read and discussed at the next regular meeting and considered for adoption.

There being no further business, Council adjourned at 7:05 P.M.

Clyde Thompson
Mayor

ATTEST:
Geneva Ard

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, December 20, 1976 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Presnet:

Clyde Thompson,	Mayor
James P. Simms, Samuel Coleman, Richard Hendrick,	Councilmen

Members Absent:

Charles Schmidt,	Councilman
Calvin Lawrence	Councilman

Meeting was opened with prayer by City Manager Holberg.

Hendrick moved to waive the reading of the minutes of the previous meeting and they be approved as submitted to each Alderman in writing. Second by Simms.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

Manager Holberg stated that after investigation and study, he found that it is feasible to replace the lift station on Highway 59 South with a gravity flow main. He recommended that Council authorize engineers to proceed with preparation of plans and specifications and set the bid opening for January 12, 1977 at 10:00 A. M. Second by Coleman.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

Mr. Holberg stated the following bids were received on December 15, 1976 for one half-ton pickup.

Angelina Chevrolet	$3,332.70
Greater Lufkin Ford	$3,249.60
Service Datsun	$3,620.06
E-Tex International	$4,700.00

After brief discussion, Mr. Holberg recommended the bid from Greater Lufkin Ford be accepted and that color as requested by the Department Head be dar green. This color vehicle is in stock and will expedite delivery.

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Simms moved the Manager's recommendation be accepted and bid awarded to Greater Lufkin Ford in the amount of $3,249.60. Second by Hendrick.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

Manager Holberg reported bids were received on December 15, 1976 on a dump truck and bed. The bidders and their bids are as follows:

E-Tex International	$9,547.66
Greater Lufkin Ford	$9,324.16
Angelina Chevrolet	$9,642.52

Mr. Holberg stated that although Greater Lufkin Ford is the lowest and best bid, he would recommend not awarding the bid until a satisfactory agreement is reached on repairs to the City's garbage truck. After discussion, Coleman moved to accept the bid from Greater Lufkin Ford in the amount of $9,324.16 and authorize the Manager to award at his discretion when an agreement is reached on the garbage truck. Second by Simms.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

Mr. Holberg stated bids were received on December 15, 1976 for a pressure sewer cleaner. The bidders and their bids are as follows:

Naylor Supply	$8,512.37
Arlington Equipment Co.	10,197.00

After brief discussion, Simms moved to accept the bid from Naylor Supply in the Amount of $8,512.37. Second by Hendrick.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

An ordinance regulating display for sale of certain magazines was presented for the second reading. After reading and discussion, Hendrick moved the ordinance be adopted. Second by Coleman.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, BY ADDING CHAPTER 22 WHICH PROHIBITS THE DISPLAY OR EXHIBITION

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OF OBSCENE, LEWD, OR LASCIVIOUS MATERIAL: PROVIDING A PENDALTY FOR VIOLATION BY PRESCRIBING A FINE NOT EXCEEDING $200.00 AND CONTAINING A SAVINGS CLAUSE."

Manager Holberg reported that he has received several resumes from engineering firms desiring the engineering on the City's Block Grant improvements. He recommended a special meeting be set for reviewing these resumes and that all Council members study the resumes prior to that meeting. After discussion, Council agreed to meet on Thuesday, January 11, 1977 at 6:00 P. M. to consider an engineering firm.

City Manager stated that it is possible for the City of apply for a $250,000. Community Block Grant rather than the $100,000. originally discussed. In view of this, he recommended the priorities be:

1. Water well and transmission lines
2. Water distribution improvements
3. Drainage improvements

After considerable discussion, Coleman moved to accept the Manager's recommendation. He further moved that if the City can apply for only the $100,000. grant, the first priority be water distribution improvements. Second by Simms.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

Council discussed a date to receive bids on garbage bags. After brief discussion, January 12, 1977 at 10:00 A. M. was set to receive bids upon motion by Simms and second by Hendrick.

Voting Yes : Simms, Coleman and Hendrick

Voting No: None

City Manager presented an estimate from Wiener, Hill, Morgan and O'Neal for 80% architectural fees on the Safety Building. The amount due is $11,926.95. Simms moved the estimate be paid. Second by Hendrick.

Voting Yes: Simms, Coleman and Hendrick

Voting No: None

There being no further business, Council adjourned at 7:10 P. M.

Clyde Thompson
Mayor

Attest: Geneva Ard