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MINUTES
PLANNING AND ZONING COMMISSION
January 10, 1977

The Diboll Planning and Zoning Commission met on January 10, 1977 at 5:00 P.M., Diboll City Hall.

Members Present:

Kenneth Nelson,	Chairman
Gary Hurley, C. H. Shepherd, Ted Miller	Members

Also Present:

Jeff Holberg,	City Manager
Moy Scarborough,	Utilities Director

Chairman Nelson declared a Public Hearing open regarding the proposed zone change of Lot 4, Block 12 of the Town of Diboll Addition, from R-1 to C-2.

Mr. Ferguson, owner of the property, appeared stating the zone change was requested because he is selling the property and it will be used for a doctor's clinic. Chairman Nelson then called for any statements in opposition to the proposed zoning and none appeared.

Public Hearing was then closed. C. H. Shepherd moved and Gary Hurly seconded that the Planning and Zoning Commission recommend that the zoning change be approved. Motion passed 3-0.

Chairman Nelson then declared a Public Hearing open on the zoning change proposal for those tracts of land beginning at approximately Riggs Street on the east side of U.S. 59 North, to the North City Limits having a depth of 600 feet from the east right of way line of U.S. 59 North. Proposed zoning change from PD to C-2. Chairman Nelson asked if there was anyone in the audience who wanted to appear in favor of the proposal. Joe Baker appeared stating his support for the zone change. Chairman Nelson then asked if anyone wished to appear in opposition to the proposal, and none appeared.

The Public Hearing was then closed. Ted Miller moved and Gary Hurley seconded that the Commission recommend to the City Council that the zoning change be approved. Motion passed 3-0.

The next item was consideration of the preliminary plat of the Marvin Baker Addition. The Commission reviewed the master plat and the preliminary plat. Ted Miller moved and C.H. Shepherd seconded the approval of the preliminary plat. Motion carried 3-0.

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The Commission then took under consideration the proposed mobile home ordinance and administrative policy for allowing special use permits for the placing of mobile homes in zones other than those specified for mobile homes. After lengthy discussion, the Commission requested that the recommendations be given at the next meeting regarding an ordinance prohibiting mobile homes in all zones except a mobile home zone. That a mobile home zone ordinance be drafted for consideration outlining the definition of a mobile home and the requirements of a mobile home park and recommending a means of allowing hardship cases to receive special permit. Also suggested that the Commission hold a public hearing.

The Commission then considered a policy clarification of the subdivision ordinance to prevent the dividing land without benefit of plat. Commission recommended holding a hearing on the proposal at their next meeting. Next meeting was set for Monday, February 14.

There being no further business, Commission adjourned.

_____
Kenneth Nelson, Chairman
Planning and Zoning Commission

ATTEST:

_____
Jeff Holberg
City Manager

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, January 17, 1977 at 6:00 P. M. in the meeting room at Diboll City Hall.

Members Present:

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

Members Absent:

Clyde Thompson,	Mayor

Also Present:

John Sloan,	City Attorney

Meeting was opened with prayer by Alderman Coleman.

Mr. J. B. Manning, Manager of Texas Power and Light Company in Lufkin, was present to discuss his company's request for a rate increase. Mayor Pro-Tem Lawrence stated that he did not feel it would be necessary to give a lengthy presentation. Mr. Manning briefly explained the reason for the request which amounts to an average of 34%. He stated the rising cost of fuel and the change-over from natural gas to lignite plants have resulted in the need for a rate increase. Mr. Manning stated that if less than a 34% increase is received, within a short time, another rate request will be be presented to the City. After discussion, Manager Holberg stated that if the rate request is not suspended, it will become effective January 26, 1977. He recommended that a resolution be adopted to suspend the rate proposal for a period of 120 days beginning January 26, 1977. Simms moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

Voting No: None

City Manager stated that a public hearing to hear pros and cons of the Texas Power and Light proposal needs to be held thirty days from January 26, 1977 prior to February 25, 1977. After brief discussion, Simms moved the meeting be set for Thursday, February 10, 1977 at 7:00 P. M. Second by Hendrick.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

Voting No: None

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Mr. Holberg stated that since remodeling will be in progress at City Hall, he will make arrangements for a meeting place and announce it as soon as possible.

City Manager reported he had attended a meeting in Austin on January 6, with representatives from several cities to discuss the systemwide rate increase proposed by Texas Power and Light. He stated that it would be to the City's benefit to join with these cities in a collective effort in employing the consulting firm of Touche-Ross and Company to examine the operations of Texas Power and Light and make detailed reports to the participating cities. It is probable that this will not be of any expense to the City of Diboll. If a financial commitment is needed the City wil be notified and authorization will be requested before any obligation is made. After discussion, Simms moved the City participate in this joint intervention. Second by Coleman.

Voting Yes: Simms, Hendrick, Coleman and Schmidt

Voting No: None

At this time, Mr. Lawrence asked for a disposition of the minutes of the last regular Council meeting. Simms moved to dispense with the reading of the minutes 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

Mayor Pro-Tem Lawrence declared that a public hearing was in session to consider the following zone change recommendations from the Planning and Zoning Commission.

Change Lot 4, Block 12, Town of Diboll Addition from R-1 to C-2

Change tracts beginning at north boundary line of present M-1 zone to East side North U.S. 59 at old Riggs Street north to North City Limit. East boundary line of proposed C-2 zone area to be 600' from east boundary line of North U.S. 59, from PD to C-2

No one appeared in opposition to either of the changes. Schmidt moved the Council accept the recommendations of the Planning and Zoning Commission and that the zoning ordinance be amended to include these two changes. Second by Simms.

Voting Yes: Simms, Hendrick, Coleman and Schmidt

Voting No: None

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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."

City Manager stated that only one bid has been received on the purchase of garbage bags. It is from Bemis Company in the amount of $50.48 per thousand or a total of $6,310. Mr. Holberg recommended approval to award this bid pending receiving a sample of the company's plastic bag to see if it meets specifications. After discussion, Simms moved to accept the Manager's recommendation. Second by Hendrick.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

Voting No: None

City Manager reported that three bids were received on the proposed sewer project on Highway 59 South. They are as follows:

	Base Bid PVC	Alt. 1 VCP	Alt. 2 Truss	Alt. 3 S. S. Screen
Hill Plumbing	51,842.00	52,214.50	52,635.10	660.00
Shull Const.	No Bid	59,851.00	No Bid	800.00
FWD Const.	No Bid	62,290.00	No Bid	700.00

Mr. Holberg reported that even the lowest bid is $15,000. above the budgeted amount and $12,000. above the engineer's last estimate. He outlined different alternatives that can be taken, stating that the City can accept the low bid and proceed with the project, split the project into two parts or abandon the project for the present time. After discussion, Mr. Holberg recommended that since the bid is good for thirty days that he call a special meeting when all needed information concerning possible changes in the project is received from the engineers. A decision can be made at that time. Council accepted this recommendation.

An ordinance regulating the display for sale of certain magazines was presented for the third and final reading. After reading, Hendrick moved the ordinance be finally passed and adopted. Second by Schmidt.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

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

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

City Manager recommended that Council set a date to interview engineering firms so that one may be employed to work on the Community Block Grant project. After discussion, Schmidt moved that five firms be interviewed and that the City Manager arrange which firms, the dates and time of the meetings. Second by Simms.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

Voting No: None

Alderman Richard Hendrick presented a letter of resignation to Mayor Pro-Tem Lawrence stating effective date of his resignation as January 17, 1977. Mr. Hendrick stated that he no longer lives inside the City Limits which makes him ineligible to serve on the Council. Mayor Pro-Tem Lawrence commended Alderman Hendrick on his fine service to the City. Coleman moved to accept the resignation with regrets. Second by Schmidt.

Voting Yes: Simms, Schmidt, Hendrick and Coleman

Voting No: None

There being no further business, Council adjourned at 7:25 P. M.

_____
MAYOR

ATTEST:

Geneva L. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, February 21, 1977 at 5:00 P. M. at Fair Acres Community Center.

Members Present:

Clyde Thompson,	Mayor
Calvin Lawrence, Charles Schmidt, Samuel Coleman, R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

James Simms,	Councilman

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 Schmidt.

Voting Yes: Lawrence, Schmidt, Coleman and Ingram

Voting No: None

City Attorney presented a draft of an ordinance regulating mobile homes within the City. The ordinance is a recommendation of the Planning and Zoning Commission. After discussion, City Attorney recommended that the ordinance be studied and reviewed by members of the Council before any action is taken. Lawrence moved to accept this recommendation and the ordinance be discussed at the next regular meeting. Second by Schmidt.

Voting Yes: Lawrence, Schmidt, Coleman and Ingram

Voting No: None

The Planning and Zoning Commission has recommended approval of the final plat of the Marvin Baker Addition suject to the payment of all platting fees and the placing of lot pins and markers. After brief discussion, Lawrence moved to accept the recommendations of the Commission subject to the provi-

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sions stated. Second by Coleman.

Voting Yes: Lawrence, Schmidt, Coleman and Ingram

Voting No: None

City Manager reported that Temple Industries Particleboard Division has requested they be allowed to place wastewater in the City's sanitary sewer system. Mr. Holberg further stated that several questions still remain unanswered regarding the discharge permit and also that tests need to be conducted on the proposed discharge. Mr. Holberg recommended that no action be taken until clarification of the discharge permit is received and the tests are conducted. Council accepted this recommendation.

City Manager explained that Deep East Texas Council of Governments is preparing a grant for a high speed teletype system. The teletype system will be tied into Texas Criminal Information System as well as the National Crime Information Center. Mr. Holberg stated the he felt this system would be beneficial to the Police Department. The cost will be $2,280. the first year and $1,920. annually thereafter. He recommended the City pass a resolution applying for the grant with DETCOG Criminal Justice. After discussion, Lawrence moved to accept the Manager's recommendation. Second by Ingram.

Voting Yes: Lawrence, Schmidt, Coleman and Ingram

Voting No: None

City Manager reported that only one bid has been received for automobile and general liability insurance. He stated the bid is from Bartlett, Baggett and Shands in the amount of $8,320. He explained that if the City experiences the same dividends as the last year, the premium will be reduced approximately $1,074. for a net of $7,246. Mr. Holberg recommended this bid be accepted. After brief discussion, Lawrence moved the City accept the bid from Bartlett, Baggett and Shands. Second by Schmidt.

Voting Yes: Lawrence, Schmidt, Coleman and Ingram

Voting No: None

Mayor Thompson stated that the City Election needed to be officially called. Lawrence moved the election be set for April 2. Second by Ingram.

Voting Yes: Lawrence, Schmidt, Coleman and Ingram

Voting No: None

The election will be for a Mayor and three alderman.

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City Manager presented two proposed change orders to the police and fire building now under construction. The first change will consist of electrical changes to provide for the City's radio equipment. The cost will amount to approximately $670. for just the coaxial cable that will be needed. This does not include the cost of connecting the telephone cables. The second portion of the change order is to increase the number of fire apparatus fill lines from one to four. This change will amount to approximately $700. After Mr. Holberg explained these changes, Lawrence moved both changes be authorized. Second by Coleman.

Voting Yes: Lawrence, Schmidt, Coleman and Ingram

Voting No: None

Mayor Thompson reported that the Council has interviewed five engineering firms but that no decision has been made. He stated that he feels the firm should be a local one, either Diboll or Lufkin, if possible. After considerable discussion, Mr. Holberg recommended that two firms be selected to talk with concerning their charges for engineering. Lawrence moved Temple Associates and Everitt Griffith and Associates be selected. Second by Schmidt.

Voting Yes: Lawrence, Schmidt, Coleman and Ingram

Voting No: None

Final decision on an engineering firm will be made at a later meeting.

Manager Holberg stated that the City had been requested by Deep East Texas Council of Governments to review and comment on the proposed application from Prairie Grove Water System to purchase the existing Sherwood Forest Water System. Praire Grove is already purchasing water from the City of Diboll in the case of emergencies through a one inch meter. Mr. Holberg stated it would be to the advantage of the City to try to work out an agreement whereby Prairie Grove would purchase water from the City for its customers. He explained the procedure that this will involve. Also, if the City sells water to the 56 customers on the Prairie Grove System, the City will face a need for additional water supply sources. After much discussion, Lawrence moved the City Manager be authorized to contact Prairie Grove and Deep East Texas Council of Governments to point out the benefits and terms the City could offer. Second by Ingram.

Voting Yes: Lawrence, Schmidt, Coleman and Ingram

Voting No: None

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There beingnno further business, Council adjourned at 5:55 P. M. and reconvened in an executive session to discuss a personnel matter.

MAYOR

ATTEST:

Geneva G. Ard

CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, March 21, 1977 at 5:00 P. M. in the meeting room at T. L. L. Temple Memorial Library.

Members Present:

Calvin Lawrence,	Mayor Pro-Tem
Charles Schmidt, James P. Simms, Samuel Coleman, Dr. R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

Clyde Thompson,	Mayor

Also Present:

John Sloan,	City Attorney
Don Robbins, Ray Paulsey, Milford Ruby, C. H. Shepherd, Jr. Carl Pavlic, Stacey Cooke, Charles Havard,	School Board Members

Meeting was called to order by Mayor Pro-Tem Lawrence.

Invocation was given by Carl Pavlic.

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 Ingram.

Voting Yes: Schmidt, Simms, Coleman and Ingram.

Voting No: None

Six members of the Diboll School Board and Superintendent of Schools were present to discuss mutual problems including drugs and other difficulties. Ray Paulsey, Vice-President of the School Board opened the discussion by stating that the Board wants to fully cooperate with the City in helping to control marijuana and other drugs on school campuses. He further stated that drugs is not the only problem that is being faced at this time. There is a real need for recreation facilities

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for the youth. Board members and City Council members joined in discussing possible solutions to the drug problem, such as a sniffer dog, town meetings to educate adults on the subject and supporting higher court bonds on drug related cases. After considerable discussion, Superintendent Robbins stated that he will report concerning his investigation on a sniffer dog as soon as the information is available. Although no official action was taken, Council agreed to cooperate with the school in any way possible on the drug problems and also recreational programs.

An ordinance regulating mobile homes and travel trailers was presented for the second reading. After City Attorney explained the ordinance, Simms moved it be passed and adopted. Second by Ingram.

Voting Yes: Schmidt, Coleman, Simms and Ingram

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART 6, CHAPTER 18 BY ADDING ARTICLE Q, MOBILE HOMES AND TRAVEL TRAILERS TO THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, REGULATING MOBILE HOMES AND TRAVEL TRAILERS; AND CONTAINING A SAVINGS CLAUSE."

City Attorney then presented an ordinance defining what is covered in the Mobile Home Ordinance. Simms moved the ordinance be passed and adopted. Second by Ingram.

Voting Yes: Schmidt, Coleman, Simms and Ingram

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI, CHAPTER 18, SECTION 6-18048 (iiii), (jjjj), (rrrr), AND (ssss) OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, AMENDING DEFINITIONS OF TRAVEL TRAILER PARK, TRAVEL TRAILER, MOBILE HOME AND MOBILE HOME PARK; AND CONTAINING A SAVINGS CLAUSE."

City Manager reported that since DETCOG has approved Prairie Grove Water System's application for a federal loan to purchase the Sherwood Forest water well, he felt the City should formally withdraw its comments so as not to endanger Prairie Grove's application. Mr. Holberg also recommended that Prairie Grove be advised that as soon as Sherwood Forest's well is tied into their system the City will permanently disconnect the emergency water supply connection. After brief discussion, Simms moved to accept the Manager's recommendation. Second by Schmidt.

Voting Yes: Schmidt, Coleman, Simms and Ingram

Voting No: None

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City Manager stated that in January 1976 the City Council had tentatively approved assisting the Housing Authority in the maintenance of Fair Acres Community Center by contributing $1,200. a year. He stated the Housing Authority has requested the payment and that it be formally approved at this time. Simms moved the payment of $1,200. be authorized. Second by Coleman.

Voting Yes: Schmidt, Simms, Coleman and Ingram

Voting No: None

City Manager stated that neither Temple Associates or Everitt Griffith and Associates had given exact engineering costs on the Community Block Grant, but each stated cost to range from $7,000. to $10,000. He further stated that an engineer does need to be selected. After much discussion, Ingram moved that Temple Associates be employed. The motion died for lack of a second. City Manager recommended that the Council meet in special session on March 28, 1977 for the purpose of selecting an engineering firm. Simms asked that Department Heads be present for this meeting. Council agreed on the special session on March 28 with Department Heads present.

City Manager stated that Board of Equalization for the current taxable year needs to be appointed. The present members are Dennis Maynard, A. F. Vaughn and Milford Ruby. Simms moved these three be reappointed to the Board. Second by Coleman.

Voting Yes: Schmidt, Simms, Coleman and Ingram

Voting No: None

Mr. Holberg reported that the City did not receive the $250,000. Community Block Grant for a water well and improvements. He pointed out that the City needs to conduct a detailed analysis of the present water supply as to consumption now and future growth. Mr. Holberg further stated that a report prepared by Mr. Lowell Wood and furnished to the Council, outlines the area where water testing should begin. There was much discussion among the members on the City's need for additional water supply sources in the future. After discussion, Simms moved the City Manager be authorized to proceed with test holes. Second by Coleman.

Voting Yes: Schmidt, Simms, Coleman and Ingram

Voting No: None

Mayor Pro-Tem Lawrence then recessed the executive session on the agenda until a later time. Meeting adjourned at 6:40 P.M.

MAYOR

ATTEST:

Geneva L. Ard

CITY SECRETARY

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Minutes of a Special Council Meeting of the City of Diboll, Texas March 28, 1977 at 6:30 P.M. in the meeting room at T.L.L. Temple Memorial Library.

Members Present:	Clyde Thompson, Mayor
	Russell W. Ingram, Samuel Coleman, Charles Schmidt, Councilmen Calvin Lawrence, James Simms,
Others Present:	Jeff Holberg, City Manager Leo Hearne, Street Superintendent Moy Scarborough, Director of Utilities
	Becky Chapman, Secretary
Members Absent:	None

Meeting was opened with invocation by Samuel Coleman.

Mayor Thompson stated the purpose of the meeting was to select an engineering firm for the City of Diboll, based on the interviews which had been held in previous weeks. Also a hearing was to be held on former City policeman, Frank Braggs. However, Mr. Braggs' attorneys had requested a postponement.

Councilmen Simms asked Mr. Hearne if he had any comments concerning either engineering firm. After a brief discussion on the matter, Lawrence called for a vote, second by Simms.

Voting Yes: Ingram, Simms, Lawrence, Coleman, Schmidt,

Voting No: None

Councilmen Ingram made the motion that Temple Associates be retained as the engineering firm for the City of Diboll. Second by Lawrence.

Voting Yes: Lawrence, Coleman, Schmidt, Ingram

Voting No: Simms

City Manager, Jeff Holberg asked for a clarification on the matter of the $750,000., 92-500 Sewer Grant which the City had submitted. Everitt Griffith and Associates have been responsible for the material which was submitted, and they were advised that upon funding, they would receive the engineering work.

After a brief discussion Lawrence made the motion that Griffith and Associates be responsible for the engineering work for the Block Grant. Second by Ingram.

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Voting Yes: Lawrence, Simms, Coleman, Schmidt, Ingram

Voting No: None

Leo Hearne informed the Council that Karey Lee had in the past done some surveying work for the City, and asked for clarification in the matter of this.

After a brief discussion Council decided that this should be left to the discretion of the City Manager.

There being no further business, Council adjourned at 6:55 P.M.

_____
Mayor

ATTEST:

_____
Secretary

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, April 18, 1977 at 5:15 P. M. in the meeting room at T. L. L. Temple Memorial Library.

Members Present:

C. H. Shepherd, Jr.	Mayor
James Simms, Dr. R. W. Ingram, Charles Schmidt, Samuel Coleman,	Councilmen
Jeff Holberg, Geneva S. Ard,	City Manager City Secretary

Members Absent:

Calvin Lawrence,	Councilman

Also Present:

John Sloan,	City Attorney

Meeting was called to order and then opened with prayer by Mayor Shepherd.

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 Schmidt.

Voting Yes: Simms, Ingram, Schmidt and Coleman

Voting No: None

There were no reports by any of the City's Boards or Commissions.

City Manager Holberg stated that recently Sabine Investment sold a five acre tract of land on Maynard Street. Utilities will need to be extended to serve this property. Normally the City extends only a two inch line, the distance necessary to serve one house. He explained that Sabine has proposed that they participate with the City in the extension of a six inch main from South First Street. In their proposal the City would furnish the materials with Sabine paying for the cost of installation. Mr. Holberg stated that the City has some six inch pipe on hand at this time which could be used. Since the City will eventually plan to loop the water system with a six inch main along Maynard Street, Mr. Holberg recommended the City participate with Sabine Investment in this project. After discussion, Ingram moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Ingram, Coleman, Simms and Schmidt

Voting No: None

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City Manager presented a resolution regarding DETCOG administration of HUD, Section 8 Housing Assistance. He stated that he feels the Deep East Texas Council of Governments could best administer this type program rather than have individual cities apply for the same level of funding and compete against each other. After brief discussion, Simms moved the resolution be adopted. Second by Coleman.

Voting Yes: Simms, Ingram, Coleman and Schmidt

Voting No: None

City Manager reported that he had attended a meeting in Waco to hear the report prepared by Touche-Ross Company regarding the proposed rate request from Texas Power and Light. He stated that the investigation shows that a 12.9% increase is needed rather than the 34% requested. Council discussed the report but no official action was taken.

Mayor Shepherd stated that an appointment to replace C. H. Shepherd, Jr. on the Planning and Zoning Board needs to be made. He recommended Bill Oates be appointed. Simms moved to accept the Mayor's recommendation. Second by Ingram.

Voting Yes: Simms, Ingram, Coleman and Schmidt

Voting No: None

Mayor Shepherd stated that an appointment needs to be made on the Park Board to replace Dr. R. W. Ingram. He recommended that Harold Maxwell be appointed. Simms moved to accept the Mayor's recommendation. Second by Ingram.

Voting Yes: Simms, Ingram, Coleman and Schmidt

Voting No: None

The City Manager reported that the executive session will be postponed until a later date.

There being no further business, Council adjourned at 5:50 P.M.

C. H. Shepherd Jr.
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, May 16, 1977 at 5:15 P. M. at the meeting room at T. L. L. Temple Memorial Library.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Calvin Lawrence, James Simms, Charles Schmidt, Dr. R. W. Ingram, Samuel Coleman,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

None

The meeting was opened by Mayor Shepherd who asked Alderman Lawrence to give the invocation.

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, Ingram and Coleman

Voting No: None

There were no reports of Boards or Commissions.

City Manager Holberg reported that the Public Utility Commission has entered a final ruling which granted Texas Power and Light Company an 11.5% increase. He stated that the City has not received the company's rate schedule or the consultant's recommendations regarding the rate structure. Mr. Holberg stated that he felt it is in order at this time to authorize the preparation of an ordinance approving the rate increase subject to receiving the rate schedule and recommendation from the consultants. Lawrence moved to accept the Manager's recommendation. Second by Simms.

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

Voting No: None

City Manager stated that the City has received a request to discharge the boiler blow-down water into the City's sanitary sewer system from Temple Particleboard Plant. He reported that extensive

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testing has been done by Neches River Conservation District and Edna Wood Laboratories. A copy of the findings was furnished to each Councilman. Dr. Mike Harbordt, representing Temple Industries, was present to answer any questions and explain why the plant needs to connect to the City's sanitary sewer. Dr. Harbordt explained this will only be needed until the molasses plant is completed. After considerable discussion, Lawrence moved Temple Industries Particleboard Plant be allowed to connect to the City's sanitary sewer but with regular samplings to determine if is not disturbing the collection or treatment system. This permit will be for a two year period only or if the effluent disturbs the system, immediately be disconnected. Second by Ingram.

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

Voting No: None

Mayor Shepherd reported that several weeks ago the School Board and Superintendent of Schools had met with the City Council to discuss mutual problems. It was decided that a committee from the School Board and the Council should be appointed to meet regularly. The school district has appointed Ray Paulsey, Don Robbins, James Rhone and Charles Havard. The Mayor then asked for volunteers from among the members of the Council. Dr. R.W. Ingram and Sam Coleman stated they would serve. Lawrence moved Dr. R.W. Ingram and Sam Coleman be appointed. Second by Simms.

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

Voting No: None

City Manager Jeff Holberg and Mayor Shepherd will also serve on City-School Committee.

City Manager stated that a date needed to be set to receive bids on water and sewer extensions on Maynard Street. He recommended that bids be received on Wednesday, June 15, 1977 at 10:00 A.M. Simms moved to accept the Manager's recommendation. Second by Schmidt.

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

Voting No: None

The bids will be received on the following:

(1) A labor contract to extend six inch main from approximately Oak Hollow Place west along Maynard Street, a distance of 1,200 feet.

(2) A contract for construction of a sewer main extending up Maynard Street.

Sabine Investment has requested the extensions and has agreed to reimburse the City of the labor costs of constructing the water main and all costs for the sewer extension except for the first 100 feet, which under the City's policy would be provided for by the City.

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City Manager reported that the City now extends 100 feet of sewer main to each customer. He stated that there has been questions about the interpretation of this; whether it meant 100 feet per customer or 100 feet per property owner. There is one area in question at this time, owned by Mr. Glenn Shivers. Although he owns the entire tract he has several structures. The State Health Department after notifying this property owner, filed charges in Municipal Court. Mr. Shivers then contacted the City to see what arrangements could be made to correct this situation. City Manager stated that he wants to insure absolute equity among rate payers and requested the Council to decide whether the 100 feet applies to per customer or per owner. All structures need to be connected to the City's sanitary sewer system. After considerable discussion, Simms moved that the City extend the sewer main 300 feet for the three structures on Mr. Shivers property and instruct the City Attorney to review the ordinance and define its meaning. Second by Schmidt.

Voting Yes: Lawrence, Simms, Schmidt, Coleman dna Ingram

Voting No: None

City Manager reported that several additional chairs will be needed in the new meeting room at City Hall. A sample of a plastic chair was shown. Mr. Holberg explained that this chair is cheaper than the wooden stack chairs that are now being used. There was considerable discussion concerning the number of chairs that will be needed and the cost. Council decided to wait until a later time to make a final decision.

Mayor Shepherd reported that three members needed to be appointed to the Housing Authority Board. The terms of H.G. Stubblefield, Jr. and Willie Massey are expired and the term of C. H. Shepherd, Jr. is one year unexpired. Mr. Shepherd recommended H. G. Stubblefield and Willie Massey be reappointed to two year terms and Geraldine Pouland be appointed to fill the one year unexpired term. Lawrence moved to accept the Mayor's recommendations. Second by Coleman

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

Voting No: None

The Housing Authority Board is as follows:

H. G. Stubblefield, Jr.	4-29-79
Willie Massey	4-29-79
Geraldine Pouland	4-29-79
James Rhone	4-29-79
Allan Miller	4-29-79

City Manager presented a copy of the audit for the fiscal year 1975-76. Since no representative from Axley and Rode was present, Lawrence moved the audit not be reviewed until the next regular meeting. Second by Simms.

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

Voting No: None

City Manager stated that the City has been requested to provide trophy cases for civic clubs and the fire department to display trophies won by the various organizations. He recommended that the City pursue the request by obtaining

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information regarding the cost of trophy cases. After discussion, Lawrence moved to accept the Manager's recommendation. Second by Ingram.

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

Voting No: None

Mayor Shepherd reported that the City has an opportunity to have a summer recreation director as part of an experimental recreation program sponsored by the Diboll Booster Club. The City could receive up to $2,000. on this program. After discussion, Lawrence moved that the City proceed with the program this year on a trial basis. Second by Simms.

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

Voting No: None

City Manager presneted a recommendation for proposed fees at Whispering Pines Swimming Pool. They are as follows:

Swimming Pool rental, after hours	$10.00
Family season ticket	20.00
Single season ticket	15.00
12 and under, per day	.35
13 and over, per day	.75

There was general discussion with Park Director, Sam Glass, regarding this proposed rate schedule. After discussion, Ingram moved the schedule of fees be accepted and that the City Attorney check into the liability of the City regarding lifeguards used at private parties. Second by Lawrence.

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

Voting No: None

There being no further business, the Council adjourned at 6:40 P.M. and went immediately into an executive session to discuss personnel matters.

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva Ard
CITY SECRETARY

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Minutes of a special meeting of the City Council of the City of Diboll, Monday, May 23, 1977 at 5:15 P.M. T.L.L. Temple Memorial Library meeting room.

Members Present:

Russell W. Ingram, Charles Schmidt, Calvin Lawrence, Samuel Coleman,	Aldermen
C. H. Shepherd,	Mayor
Jeff Holberg,	City Manager
John Sloan,	City Attorney

Also Present:

Dewey Wolf,	Chief of Police
Becky Chapman,	Secretary

Members Absent:

James Simms,	Alderman

Meeting was opened with prayer by Mayor Shepherd.

City Manager, Holberg, requested the Council to approve a resolution requesting DETCOG assistance for low speed tele-type for the police department. After brief discussion, Lawrence moved that the City request assistance from DETCOG. Second by Coleman.

Voting Yes: Coleman, Lawrence, Schmidt, Ingram

Voting No: None

Holberg explained to the Council the reason for requesting DETCOG to compile a position classification plan. Lawrence moved the Council contact DETCOG concerning this. Second by Ingram.

Voting Yes: Coleman, Lawrence, Schmidt, Ingram

Voting No: None

Council then recessed, and went into Executive Session for the purpose of discussing personnel.

Meeting was adjourned at 8:00 P.M.

C. H. Shepherd, Jr.
Mayor

ATTEST:

Becky Chapman

Becky Chapman, Secretary

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, June 20, 1977 at 5:15 P. M. in the meeting room at T. L. L. Temple Memorial Library.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms, Charles Schmidt, Samuel Coleman, Dr. R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was called to order and opened with prayer by Mayor Shepherd.

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, Ingram and Schmidt

Voting No: None

Mr. Holberg reported that bids had been opened on June 15, 1977 as authorized in the last regular meeting for Maynard Street. utility extensions. The bidders and their bids are as follows:

Oscar Crawford Construction	$12,900.50
East Texas Eng. & Construction	16,056.10
Thomas and Thompson	16,816.91

Based on bids received, Mr. Holberg recommended that the bid be awarded to Oscar Crawford Construction in the amount of $12,900.50, representing the lowest and best bid. After discussion, Coleman moved to accept the Manager's recommendation. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram and Schmidt

Voting No: None

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City Manager reported that two bids were received on street and drainage improvements. The awarding of the bid was delayed, upon recommendation by the Manager. He stated that the City and the engineer needed time to investigate and review the bids before any action is taken.

Mr. Holberg stated that he would like authorization to advertise for bids on the City's hospitalization insurance. After discussion, Simms moved the date to receive bids be set for August 10, 1977 at 10:00 A. M. Second by Coleman.

Voting Yes: Simms, Coleman, Ingram and Schmidt

Voting No: None

Mr. Lynn Montes of Axley and Rode, Certified Public Accountants, appeared before the Council to present the audit for 1975-76. He stated that the City has no major problems, but some basic problems do exist with regard to the City's accounting records and the use of the accounting machine. Mr. Montes also pointed out that the Water and Sewer Fund is not making enough money to support the system and the City may face the need to raise water and sewer rates in the near future. After discussion, Council accepted the audit as presented.

City Manager reported that final ruling has been received from the Public Utility Commission on Texas Power and Light's rural rate case. Mr. Holberg read the ordinance and recommended the City adopt the ordinance approving an 11.5% rate increase. After discussion, Schmidt moved the ordinance be adopted. Second by Coleman.

Voting Yes: Simms, Coleman, Ingram and Schmidt

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE APPROVING RATE SCHEDULES TO BE CHARGED BY TEXAS POWER AND LIGHT COMPANY IN THE CITY OF DIBOLL, TEXAS, APPROVING SERVICE REGULATIONS FILED BY TEXAS POWER AND LIGHT COMPANY, PROVIDING FOR AN EFFECTIVE DATE FOR SUCH RATE SCHEDULES, AND PROVIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED OR WITHDRAWN."

The City Manager presented a proposed policy outlining the types of street name signs, material specifications and location for street name signs. The type of signs to be used were shown to the Council. The sign will incorporate white on green reflective four-way assembly, mounted on nine foot poles to help avoid vandalism. The signs over town will be replaced gradually as needed and will have six inch blades on regular City streets and nine inch blades on major thoroughfares.

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After discussion, Coleman moved to accept the Manager's recommendation and adopt the street sign policy. Second by Schmidt.

Voting Yes: Simms, Coleman, Ingram and Schmidt

Voting No: None

City Manager Holberg reported that he has received two requests for water services outside the City Limits. The first request is made by Ryan's Lake Hunting Club, requesting a connection at the west end of Pine Valley Road to serve the new location of the pasture's riders residence. Darin Simpson explained that the Club will bear the expense and the meter will be set approximately 600 feet inside the City Limits. There was general discussion regarding this.

The second request is from Moy D. Scarborough. He is requesting water service to his property at the end of Arrington Road to serve a proposed residence. Mr. Scarborough will bear all expense for this connection.

After discussion, Simms moved to allow water for both requests provided that the applicants construct lines in accordance with City specifications. Second by Coleman.

Voting Yes: Coleman, Ingram, Simms and Schmidt

Voting No: None

Mayor Shepherd stated that due to the death of Johnny Watkins, a fire marshal needs to be appointed. He stated that he would like to delay this action since two applications have been received and he needed time to review them and also to study the description of the job. Council agreed to wait until the next regular meeting to make this appointment.

City Manager stated that a representative needs to be appointed to the executive board of the Deep East Texas Council of Governments. The representative must be an elected official. After discussion, Council agreed that Mayor Shepherd should be appointed. C. H. Shepherd, Jr. will represent the City on the DETCOG executive board.

Council then went into executive session at 6:05 P. M.

Meeting was reopened at 6:10 P. M.

Simms moved that the City not accept the appeal of Frank Braggs. Second by Coleman.

Voting Yes: Coleman, Ingram, Simms and Schmidt

Voting No: None

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Council then returned to executive session to discuss personnel matters.

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

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, July 18, 1977 at 5:15 P. M. in the meeting room at Temple Memorial Library.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James Simms, Charles Schmidt, Samuel Coleman, Darwin Smith, Dr. R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

The meeting was called to order and opened with prayer by Mayor Shepherd.

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

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

City Manager reported that the Park and Recreation Board had met to revise the golf course policy regarding golf tournaments. The golf pro will have general authority over running all golf tournaments. Park Board also authorized the golf pro to request funds from the Booster Club for replacement of furniture inside and outside the golf course pro shop, including benches on each tree. The Park Board also recommended that the City request Park Planning Assistance from the Texas Parks and Wildlife Department. There was considerable discussion among the Council regarding the request of funds from the Booster Club as to whether these should be requested in the name of the City. After discussion, Council decided that the City should not be named in asking the donation, but rather the Park Board. It was noted that the funds have already been set aside by the Booster Club but are not designated to be spent on any particular items. Ingram then moved that the Council adopt a resolution requesting Park Planning

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Assistance from the Texas Parks and Wildlife Department. Second by Coleman.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

The caption of the resolution is as follows:

"A RESOLUTION AUTHORIZING THE CITY OF DIBOLL, TEXAS TO REQUEST ASSISTANCE IN BASIC SITE PLANNING FOR A CITY PARK."

Manager Holberg stated that a Mayor Pro-Tem needed to elected from among the members of the Council to act in the absence of the Mayor at meetings and to sign checks when the Mayor is not available. After considerable discussion, Coleman moved that James Simms be elected Mayor Pro-Tem. Second by Smith.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

City Manager reported that since the last meeting, the Mayor has been reviewing applications for fire marshal and will make that appointment. Mayor Shepherd appointed Wayne Harris who is a resident of Diboll and employed by the Lufkin Fire Department. Simms moved this appointment be approved. Second by Ingram.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

City Manager stated that Temple Associates has concluded preliminary work projecting future water demands and asked Council to consider authorizing tests for new water wells. He stated the City will be faced with the need of a new well within the next few months. After discussion, Simms moved that the City Manager be authorized to proceed with the test holes with the cost not to exceed $10,000. Second by Coleman.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

Mr. Holberg reported that the Community Development Block Grant project for the replacement of sewer lines in the Old Town of Diboll is at the stage where proceedings to secure easements need to be authorized. After brief discussion, Simms moved the City Manager be authorized to proceed with procuring the necessary easements. Second by Smith.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

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In other business, City Manager announced a meeting of Texas Municipal League, Region 16, to be held in Jasper on July 21 at 6:30 P. M. He encouraged the Council to attend and asked that anyone planning to attend, call City Hall by July 19.

There being no further business, Council adjourned at 6:00 P. M.

C H. Shepherd Jr
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, August 15, 1977 at 5:15 P.M. in the meeting room at T.L.L. Temple Memorial Library.

Members Present:

C. H. Shepherd, Jr.	Mayor
James P. Simms, Samuel Coleman, Dr. R. W. Ingram, Darwin Smith, Charles Schmidt,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

Meeting was called to order and opened with prayer by Mayor Shepherd.

Ingram 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, Ingram, Smith and Schmidt

Voting No: None

Mr. Holberg reported that the present Mobile Home Ordinance does not provide requirements regarding a transfer of a special use permit outside a mobile home district when a mobile home is sold by the present owner. He recommended that the ordinance be amended to prohibit transfers of special permits. After discussion, Simms moved to amend the ordinance as recommended. Second by Schmidt.

Voting Yes: Simms, Coleman, Ingram, Smith and Schmidt

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI, CHAPTER 18, ARTICLE Q, SECTION 6-18052 OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, BY ADDING SUB-SECTION (f), PROHIBITING TRANSFERS OF SPECIAL PERMITS AND CONTAINING A SAVINGS CLAUSE."

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Mayor Shepherd read a petition from several property owners inside the City limits stating that sewer and street improvements are very badly needed in the area off Borden Drive in Diboll. Manager Holberg stated that sewer has not been installed because of the expense that would be incurred. He stated the estimated cost of the sewer extension would be $25,000. and the street paving could amount to as much as $50,000. At this time the City does not have this money appropriated in its budget. There was considerable discussion concerning the need for these projects. Mayor Shepherd stated that he felt the City should try to include some of the improvements in the coming budget. Councilman Simms voiced the need for sewer and street improvements on the extension of Hackberry known as Mockingbird Lane. After the discussion, Smith moved that City Manager be authorized to proceed with engineering on all areas that are not being served by sanitary sewer. Second by Coleman.

Voting Yes: Simms, Coleman, Ingram, Smith and Schmidt

Voting No: None

Mr. Holberg stated that during the past few weeks, the City has received numerous complaints regarding trains blocking the crossings through town. There was much discussion among the Council about possible solutions to this problem. After considerable discussion, Simms moved that Southern Pacific be notified that if the situation did not improve greatly that the City will consider adopting an ordinance placing a five minute limit on blocked crossings and that two crossings be left open at all times. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram, Smith and Schmidt

Voting No: None

City Manager reported that the bid opening date on the hospitalization insurance had been delayed from August 10 to August 15 and still only one bid has been received. This was from Blue Cross-Blue Shield. He recommended that since there is a great increase in the insurance and different coverages are offered, that an executive session be held at the end of the regular meeting to discuss this. Ingram moved that insurance be discussed in executive session. Second by Schmidt.

Voting Yes: Simms, Coleman, Ingram, Smith and Schmidt

Voting No: None

Appointments to the Park Board were not made, but will be on the next regular agenda.

City Manager presented a resolution authorizing the quitclaim of South U.S. 59 lift station and force main easements. The easements are of no further use to the City since this was recently replaced by the twelve inch sewer interceptor. Simms moved to adopt the resolution. Second by Coleman.

Voting Yes: Simms, Coleman, Ingram, Smith and Schmidt

Voting No: None

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The caption of the resolution is as follows:

WHEREAS, BY INSTRUMENT DATED FEBRUARY 15, 1966, OF RECORD IN VOLUME 322, PAGE 191, OF THE DEED RECORDS OF ANGELINA COUNTY, TEXAS, ARTHUR TEMPLE, JR., CONVEYED AN EASEMENT FOR SEWER LINES TO THE CITY OF DIBOLL WHICH EASEMENT COVERS THE FOLLOWING DESCRIBED PROPERTY TO-WIT:

Council discussed naming a street off Pine Valley Road so that the Postal Department would deliver mail to the two residences on the street. City Manager stated that the City could incur the liability of maintaining the street if it is named. There was much discussion concerning the street did not have the necessary right of way and easements will need to be secured. After much discussion, Simms moved the City name the street subject to the granting of the proper easements. Second by Coleman.

Voting Yes: Simms, Coleman, Ingram, Smith and Schmidt

Voting No: None

There being no further business, Council adjourned at 6:20 P.M.

Council then went to executive session.

C H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, September 19, 1977 at 5:15 P.M. in the meeting room at T.L.L. Temple Memorial Library.

Members Present:

James Simms,	Mayor Pro-Tem
Samuel Coleman, Darwin "Bo" Smith, Dr. R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

C.H. Shepherd, Jr.	Mayor
Charles Schmidt,	Councilman

Also Present:

John Sloan,	City Attorney
Becky Chapman,	Tax Assessor-Collector

The Meeting was called to order by Mayor Pro-Tem Simms.

Alderman Coleman gave the invocation.

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 Smith.

Voting Yes: Coleman, Smith and Ingram

Voting No: None

The City Manager reported that the Planning and Zoning Commission had met to consider a request from Mr. Lonnell Young for a zone change for Lot 7, Block 1 of the A.C. Hall Addition from R-1 to C-2. The purpose of the change would be so that a pool hall could be constructed. Mr. Holberg stated that the application had been approved by the Planning and Zoning Commission and a public hearing needs to be held. Mayor Pro-Tem Simms opened the public hearing and asked if anyone present wished to speak for or against the zone change. No one spoke for or against the zone change. After brief discussion, Alderman Coleman moved the Council accept the recommendation of the Planning and Zoning Commission. The motion died for lack of a second. Smith then moved that the matter be tabled until the next regular meeting. Second by Ingram.

Voting Yes: Coleman, Smith and Ingram

Voting No: None

City Manager reported that at the last regular meeting, Council had approved passage of an amendment to the mobile home ordinance

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prohibiting transferring of a special permit from one mobile home owner to another if it is located outside a mobile home park zone. He presented the amendment for consideration. Ingram moved the amendment to the mobile home ordinance be finally passed and adopted. Second by Smith.

Voting Yes: Coleman, Smith, and Ingram

Voting No: None

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI, CHAPTER 18, ARTICLE Q, SECTION 6-18052 OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, BY ADDING SUB-SECTION (f), PROHIBITING TRANSFERS OF SPECIAL PERMITS AND CONTAINING A SAVINGS CLAUSE."

Mr. Holberg reported that the City is ready to advertise for bids on the Community Block Grant Project and recommended the bid date be set for October 12, 1977 at 10:00 A.M. Mr. Billy Simms, with Temple Associates Engineering, presented a map that showed the area and the locations where easements will need to be obtained. After discussion, Ingram moved to accept the Manager's recommendation and advertise for bids to be received' October 12, 1977 at 10:00 A.M. Second by Smith.

Voting Yes: Coleman, Smith and Ingram

Voting No: None

City Manager stated that after Council authorization at last meeting he had contacted Southern Pacific regarding trains blocking the crossings in Diboll. He furnished each member of the Council with a letter from Superintendent L.A. Patterson asking that the railroad be given an opportunity to improve the situation before the City considers passing an ordinance. After discussion, Council agreed that no action be taken until the next regular meeting after seeing if any improvement is made.

A resolution adopting an Affirmative Action Plan of the City of Diboll relating to the Community Development Block Grant Program was presented for consideration. Mr. Holberg explained this will assure that the City will employ minority and small business contractors wherever possible in the project. After discussion, Coleman moved to adopt the resolution. Seconded by Ingram.

Voting Yes: Coleman, Smith and Ingram

Voting No: None

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The resolution is on file in the office of the City Secretary.

Appointments to the Park and Recreation Board were tabled until the next meeting.

Becky Chapman, Tax Assessor-Collector, appeared before the Council to present the tax roll for the 1977 tax year for certification. A resolution adopting the certification was read. After brief discussion, the resolution was adopted upon motion by Smith and second by Coleman.

Voting Yes: Coleman, Smith and Ingram

Voting No: None

The resolution is on file in the office of the City Secretary.

There being no further business, Council adjourned at 5:50 P.M. and reconvened in executive session for a budget workshop.

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, October 24, 1977 at 5:15 P. M. in the meeting room at Temple Memorial Library.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James Simms,	Mayor Pro-Tem
Charles Schmidt, Samuel Coleman, Darwin "Bo" Smith, Dr. R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

The meeting was called to order by Mayor Shepherd who also gave the invocation.

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 Ingram.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

City Manager Holberg stated that bids have been received and opened on October 12, 1977 for reconstruction of sewer lines in the Old Town of Diboll. He stated five bids were received. Mr. Holberg reported that the Block Grant received is in the amount of $100,000. He explained that if the entire project is completed, an overrun in cost can be expected and the City will have to bear the overage. These costs will be engineering and surveying, as well as the acquisition of easements. A total of $6,000. has been budgeted in Revenue Sharing but the overrun would be approximately $10,000. above this. He further reported that McKinney and Moore of Jacksonville, Texas, was the low bidder on the project in the amount of $96,339.60. After considerable discussion, Simms moved the bid be awarded to McKinney and Moore and that the City make up the difference in the grant money and the actual cost. Second by Ingram.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

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The bid tabulation sheet is attached to and made a part of these minutes.

City Manager stated that a booster truck for the Fire Department has been budgeted for this year and asked authorization to advertise for bids. This unit will replace the 1952 Ford pumper. Fire Chief Gary Jones was present to answer any questions regarding this vehicle. After discussion, Smith moved that November 16 at 10:00 A. M. be set for the bid opening. Second by Coleman.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

Mr. Holberg stated that he has received a proposal to increase the size of the Volunteer Fire Department from 25 to 30 members. This would definitely be of benefit to the City and would cost a minimal amount. After discussion, Simms moved this proposal be accepted. Second by Coleman.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

Mayor Shepherd stated that appointments need to be made to the Park and Recreation Board. He recommended the appointments of Ray Faircloth, Nan Miller and Milford Ruby. Smith moved these be appointed. Second by Ingram.

Voting Yes: Simms, Schmidt, Colemen, Smith and Ingram

Voting No: None

Mayor Shepherd recommended that Bennie Scott be appointed on the Board of Adjustments to replace O. C. Scott. Smith moved to accept the Mayor's recommendation. Second by Ingram.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

City Manager presented an outlined example of the City's present sewer extension policy and the possible alternatives for changes. There was much discussion conerning the extension policy. Areas this will affect will be Mockingbird Lane, Holubec, Ballenger, Pine Valley and Old Orchard Park. Serving all the residences inside the City with sanitary sewer at no cost to the property owners would be of considerable expense. However, some Council members felt it would not be fair to charge residents for connection who have been in these areas for several years. After much discussion, Ingram moved that all the named areas be provided with sanitary sewer service when funds are available at

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a nominal fee. Any new construction will be provided sanitary sewer on a pro-rata basis of the cost of the sewer line, if built after October 24, 1977. Second by Coleman.

Voting Yes: Simms, Schmidt, Coleman, Smith and Ingram

Voting No: None

There being no further business, Council adjourned at 6:10 P. M. and went into executive session to discuss a personnel matter.

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, November 21, 1977 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Darwin "Bo" Smith, Charles Schmidt, Dr. R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

James Simms, Samuel Coleman,	Councilmen

Also Present:

John Sloan,	City Attorney

The meeting was called to order by Mayor Shepherd who offered the invocation.

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

Voting Yes: Smith, Schmidt and Ingram

Voting No: None

Mayor Shepherd stated that the Public Hearing for consideration of adopting an amendment to the zoning ordinance regarding the non-conforming use of mobile homes was now open. No one appeared to speak for or against the amendment. The City Manager furnished a list of all mobile homes within the City Limits and stated that only one is less than twenty feet from another structure. Council discussed including a section in the amendment to allow storage sheds to be built within twenty feet of the mobile home. After discussion, Ingram moved the amendment be adopted and that it include a section to allow storage sheds within twenty feet. Second by Schmidt.

Voting Yes: Schmidt and Ingram

Voting No: Smith

The caption of the ordinance is as follows:

"AN ORDINANCE AMENDING PART VI, CHAPTER 18, ARTICLE Q, OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, BY ADDING SECTIONS 6-18054 REGULATING NON-CONFORMING USE OF MOBILE HOMES AND

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TRAVEL TRAILERS AND CONTAINING A SAVINGS CLAUSE."

City Manager reported that the street and drainage improvement work on South First and a portion of Neal Pickett and Pine Valley has been completed. He stated that the final estimate in the amount of $34,736.36 is now due. Mr. Holberg recommended that the project be accepted and that final payment be made. He explained that the original estimate was $59,124.10 but based on final quantities, the contract amounted to $52,219.45 which is $6,904.55 under budget. After brief discussion, Schmidt moved to accept the Manager's recommendation. Second by Smith.

Voting Yes: Smith, Schmidt and Ingram

Voting No: None

City Manager reported that the bid opening on the purchase of a fire truck had been delayed until 10:00 A. M., November 21. The bidders and their bids are as follows: (Bids are on file in the office of the City Secretary). After considerable discussion, Gary Jones, Fire Chief recommended that the bid from Pierce Mfg., Inc. in the amount of $31,563.00 be accepted. Schmidt moved to accept this recommendation and that payment be made in advance for the available discount. Second by Ingram.

Voting Yes: Smith, Schmidt and Ingram

Voting No: None

Manager Holberg recommended December 14, 1977 at 10:00 A. M. be set as bid opening date for the purchase of three pickups and an air compressor. Smith moved this recommendation be accepted. Second by Schmidt.

Voting Yes: Smith, Schmidt and Ingram

Voting No: None

City Manager presented a petition from property owners between Carter Drive and its intersection with Winder Street and Farm Road 1818 petitioning that this portion of Carter Drive be closed. This will be the area to be used for an office complex for Temple Industries. After discussion, Ingram moved the street be closed in the area as requested. Second by Smith.

Voting Yes: Smith, Schmidt and Ingram

Voting No: None

The City Attorney was instructed to prepare an ordinance to close this portion of Carter Drive.

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City Manager presented a resolution authorizing Mayor Shepherd to sign papers necessary to apply for a grant to construct certain park improvements in Old Orchard Park. The grant will be from the Texas Parks and Wildlife and will amount to $125,000. to $150,000. After discussion, Smith moved the resolution be adopted.

Voting Yes: Smith, Schmidt and Ingram

Voting No: None

Mr. Holberg presented the sewer extension policy and explained its contents. He explained the cost to extend sewer to residents inside the City Limits not served at this time as outlined at the previous meeting. It will cost approximately $5.46 based on current estimates per front foot. After considerable discussion, Schmidt moved that the property owner of an existing house built before October 24, 1977 pay 25% of the cost of construction of the line. This would be for one connection. If in the future, the same property owner divides his land, that portion of the undivided lot will be required to pay the balance of the pro-rata share to connect to the City's sanitary sewer system. Second by Ingram.

Voting Yes: Smith, Schmidt and Ingram

Voting No: None

There being no further business, Council adjourned at 6:45 P.M.

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, December 19, 1977 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.	Mayor
James Simms, Darwin "Bo" Smith, Dr. R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

Charles Schmidt,	Councilman
Samuel Coleman,	Councilman

Also Present:

John Sloan,	City Attorney

Meeting was opened by Mayor Shepherd who also gave the invocation.

Mayor Shepherd stated that a public hearing was now open to hear pros and cons concerning the proposed closing of Carter Drive from FM 1818, south to the creek. One resident of the area, Don Hendrick appeared. Mr. Hendrick stated that he has no objections to the closing but asked if provisions would be made for vehicles, especially the garbage truck, to turn without turning in a driveway. City Manager stated that a turn around has been planned.

City Attorney presented an ordinance to close Carter Drive. Mr. Sloan explained that he had not been able to contact the appraiser to ascertain the fair market value that should be given to the City for what will be given up. This figure can be inserted in the ordinance at a later date. After brief discussion, Simms moved the ordinance be adopted subject to the amount being added. Second by Ingram.

Voting Yes: Simms, Smith and Ingram

Voting No: None

City Manager reported that bids have been received for three (3) 3/4 ton pickups and one (1) air compressor. He recommended the bid for the pickups be awarded to low bidder, Greater Lufkin Ford in the amount of $13,572.93. After discussion, Simms moved to

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accept the Manager's recommendation. Second by Smith.

Voting Yes: Simms, Smith and Ingram

Voting No: None

The bidders and their bids are attached to and made a part of these minutes.

Mr. Holberg recommended that the bid for the purchase of an air compressor be awarded to Lufkin Supply Company in the amount of $5,000., being the lowest and best bid. Simms moved to accept the Manager's recommendation. Second by Smith.

Voting Yes: Simms, Smith and Ingram

Voting No: None

City Manager recommended that January 11, 1978 at 10:00 A. M. be set as the date to receive bids on three (3) police vehicles and an annual supply of garbage bags. Simms moved this date be accepted. Second by Ingram.

Voting Yes: Simms, Smith and Ingram

Voting No: None

Consideration of an ordinance amending the City's sewer extension policy was delayed until a draft of the amendment is finished.

Mr. Holberg reported that representatives from the Diboll Independent School District would not be present to discuss the traffic problem at Temple Junior School. He stated that a meeting between the City and the School should be held at another time. He stated that a report has been furnished by a State Traffic Engineer. After brief discussion, Mayor Shepherd appointed James Simms and Dr. R. W. Ingram to a committee to work with School Board members to try to find a solution to the problem.

Mr. Fred Weeks, Jr. appeared before the Council to ask that improvements be made to Lawrence Street, that the Mobile Home Ordinance be clarified and the sewer extension policy be explained.

Mr. Weeks stated that Lawrence Street is almost impassable at this time and requested the City repair the chugholes. City Manager assured Mr. Weeks that this street is included in the plans for paving in this year's budget. Mr. Weeks explained that he is not interested in whether the street is paved in the future or not, that it needs repairs now. There was considerable discussion concerning the need for right-of-way easements from the property owners on the street before repairs could be made. Mr. Weeks stated that he is willing to give an easement but that he has not been contacted by the City. After much discussion, Council agreed that the street should be graded at the earliest time possible.

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Mr. Weeks then reported that in accordance with the City's recent amendment to the Mobile Home Ordinance, all mobile homes should be anchored and skirted. He stated that after checking, he found that very few mobile homes in the Sabine Investment Mobile Home Park were anchored or skirted. He asked whether the ordinance applies to all mobile homes within the City Limits or excludes those in the mobile home park. After considerable discussion, City Manager was instructed to thoroughly review the ordinance and determine if state law excludes mobile home parks.

City Manager then explained the sewer extension policy stating that property owners will share the expense when sanitary sewer is extended to an area not being served. He reviewed each point of the policy with Mr. Weeks although Mr. Weeks stated that he feels the new policy is not the fairest solution or in the best interests of the citizens who are now without sanitary sewer.

Mr. Holberg stated that the Texas Municipal Retirement System is offering a supplemental death benefit program. The City's present contribution is 2.55%. On January 1, 1978, the contribution rate will drop to 2.16%. The current supplemental death benefit coverage would add .32% to bring the City's total contribution to 2.48%. The supplemental death benefit coverage will not cost the City any additional monies this year. After discussion, Simms moved to add the supplemental death benefits for the employees. Second by Smith.

Voting Yes: Simms, Smith and Ingram

Voting No: None

There being no further business, Council adjourned at 6:25 P.M. and went into executive session to discuss personnel and real estate matters.

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, January 16, 1978 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms, Darwin "Bo" Smith, Charles Schmidt, Samuel Coleman, Dr. R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Meeting was called to order by Mayor Shepherd.

Dr. R. W. Ingram gave the invocation.

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 Ingram.

Voting Yes: Simms, Smith, Schmidt, Coleman and Ingram

Voting No: None

Mr. James Kerbo, Manager of Texas Power and Light Company, appeared before the Council to make a presentation of his company's request for a rate increase. Mr. Kerbo explained the reasons why the increase is justified and that in the future rates will level out and decrease. After his presentation and Council discussion, Simms moved the Council adopt a resolution to suspend the effective date of the rate increase. Second by Schmidt.

Voting Yes: Simms, Smith, Schmidt, Coleman and Ingram

Voting No: None

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

City Manager then reported that representatives of the Texas Municipal League have met with the Public Utilities Commission in Austin and the Firm of Touche-Ross has again been employed to study the proposed rate request. The study will be conducted at the expense of Texas Power and Light. A report will be made

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to the Council when it is completed.

An amendment to the Water and Sewer Ordinance was introduced which outlined the new sewer extension policy. Portions of the amendment were read explaining the citizen's participation in costs of extending sanitary sewer in the future. After considerable discussion, Simms moved the amendment be adopted. Second by Smith.

Voting Yes: Simms, Smith, Schmidt, Coleman and Ingram

Voting No: None

The caption of the ordinance is as follows:

" AN ORDINANCE AMENDING PART V, CHAPTER 11, SECTION 5-11004 (c) OF THE CODE OF THE CITY OF DIBOLL, TEXAS, 1973, AMENDING THE SEWER LINE EXTENSION POLICY FOR THE CITY OF DIBOLL, TEXAS, AND CONTAINING A SAVINGS CLAUSE."

City Manager reported that bids had been received on the Northwest Sewer Project and that Oscar R. Crawford Construction is the low bidder. He stated Mr. Crawford's bid is in the amount of $55,531.00 but that an approved change order would lower the bid to $50,528.00. Mr. Billy Simms, with Temple Associates Engineering, stated this change order is approved and presented a map which outlined the proposed improvements. After Council review, Schmidt moved the bid be awarded to Oscar R. Crawford Construction in the amount of $50,528.00. Second by Simms.

Voting Yes: Simms, Smith, Schmidt, Coleman and Ingram

Voting No: None

The bidders and their bids are on file in the office of the City Secretary.

Mr. Holberg stated that bids have been received on a year's supply of garbage bags. The low bidder is Bemis Company in the amount of $8,076.80. He recommended this bid be accepted. Simms moved to accept the Manager's recommendation. Second by Smith.

Voting Yes: Simms, Smith, Schmidt, Coleman and Ingram

Voting No: None

City Manager stated that bids were received on the purchase of three (3) police patrol cars. He explained that best and lowest bid meeting or exceeding all specifications is Alternate #1 by

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Greater Lufkin Ford in the amount of $13,714.12. He recommended the bid be awarded to Greater Lufkin Ford. Members of the Council discussed whether the trade in on the cars being traded is as much as could be received from the City selling to individuals. City Attorney explained that the City cannot sell the vehicles without receiving bids or holding an auction. After discussion, Simms moved to accept the bid from Greater Lufkin Ford in the amount of $13,714.12 which includes trade in of the present patrol cars. Second by Ingram.

Voting Yes: Simms, Smith, Schmidt, Coleman and Ingram

Voting No: None

Mr. Holberg stated that in a routine check of the speed limit on U. S. 59, what appeared to be a scrivener's error was discovered. He explained that when the Highway Department specified the location of the 45 M.P.H. the station numbers were transposed. The map indicates that the 45 M.P.H. speed limit starts at Harris Street and runs south to Booker Street. The error is in the written ordinance only since the signs are posted at the proper places. He asked authorization to correct the clerical error. Simms moved that the administrative correction be made in the ordinance. Second by Ingram.

Voting Yes: Simms, Smith, Schmidt, Coleman and Ingram

Voting No: None

Mr. Billy Brewer appeared before the Council to request water service to his residence outside the northwest City Limits on Holubec Street. Alderman Simms suggested that all property owners in this area who desired water service get together in the future to make the request. He stated that the City faces a possible water shortage in the future and that a cut-off date for customers outside the City to connect should be considered. After much discussion, Simms moved to grant Mr. Brewer's request for water service. Second by Ingram.

Voting Yes: Simms, Smith, Schmidt, Coleman and Ingram

Voting No: None

There being no further business, Council adjourned at 6:15 P. M. and went into executive session to discuss real estate and personnel matters.

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, February 20, 1978 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr,	Mayor
James Simms, Darwin "Bo" Smith, Samuel Coleman, Dr. R. W. Ingram, Charles Schmidt,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

The meeting was opened with prayer by Mayor Shepherd.

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 Smith.

Voting Yes: Simms, Smith, Coleman, Ingram and Schmidt

Voting No: None

City Manager Holberg reported that presently the City is provided uniforms under a rental contract with Dickies Work Clothes Rental Service. He stated that the service has not been satisfactory in that uniforms are not replaced if worn out or torn. Also, the supply is limited and the employees are not sending them in weekly for laundry service since enough uniforms would not be available for wear. This service is provided for $3.60 per week per employee. Mr. Holberg stated that he feels the City can purchase seven uniforms per employee at a cost less than the present price the City is paying. He stated the quality of the uniforms can also be improved. After discussion, Smith moved the City purchase uniforms for its employees rather than rent them. Second by Coleman.

Voting Yes: Simms, Smith, Coleman, Ingram and Schmidt

Voting No: None

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City Attorney Sloan introduced an amendment to the Sewer Extention Ordinance. The amendment states that residences in existence prior to October 24, 1977, will not have to pay a pro rata cost for any sewer extension. Any construction after this date will however be extended sewer for the full cost of the front foot of the extension. After brief discussion, Smith moved the amendment be passed and adopted. Second by Coleman.

Voting Yes: Simms, Smith, Coleman, Ingram and Schmidt

Voting No: None

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

City Manager stated that the City needs to adopt an ordinance to establish procedures regarding dilapidated structures. He asked Attorney Sloan to explain the contents of the proposed ordinance. After the explanation, Coleman moved the ordinance be passed and adopted. Second by Smith.

Voting Yes: Simms, Smith, Coleman, Ingram and Schmidt

Voting No: None

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

Council discussed the applicability of certain provisions of the Mobile Home Ordinance in the way that it affects Mobile Home Parks. After considerable discussion, Schmidt moved the subject be tabled until it can be further studied. Second by Smith.

Voting Yes: Simms, Smith, Coleman, Ingram and Schmidt

Voting No: None

The audit report for the fiscal year ending September 30, 1977 was not given. Council requested a special meeting be called so that a representative from the auditing firm could be present. Coleman moved the meeting be called at the first Monday possible. Second by Smith.

Voting Yes: Simms, Smith, Coleman, Ingram and Schmidt

Voting No: None

A request by Temple-Eastex regarding a water main was tabled at the request of the applicant.

City Manager reported that he feels a water and sewer rate study should be conducted. He stated the Water and Sewer Department does not generate enough revenue to cover its expenses and debt requirements. Mr. Holberg proposed that Temple Associates be

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retained to conduct this study. After discussion and Council consideration, Simms moved to accept the Manager's recommendation. Second by Smith.

Voting Yes: Simms, Smith, Coleman, Ingram and Schmidt

Voting No: None

Mr. Holberg stated that in the past the City has had no firm policy on how or where street lights were placed. He explained that as a result some areas in town have more than adequate street lighting while other areas have very little. He presented a street light policy and asked Council to adopt it to provide a uniform lighting system. Copies had been previously given to the Council for study. After discussion, Simms moved the policy be permanently adopted. Second by Ingram.

Voting Yes: Simms, Smith, Coleman, Ingram and Schmidt

Voting No: None

City Manager stated that since the City has received a recent request for annexation of an area of land on Holubec Street, the Council should thoroughly discuss the City's attitude towards expanding the corporate limits. Also, the second consideration is that of extending water service outside the City Limits.

After lengthy discussion, Schmidt moved to adopt the following policy: It will be the policy of the City of Diboll that no annexation will be considered except for subdivisions constructed in accordance with subdivision ordinance and meeting all City specifications. These will be considered on a case by case basis.

It will be the policy of the City of Diboll that water service outside the City Limits will be limited to that property which can be served from the City of Diboll water lines currently existing. It shall still be required that requests for water service outside the City Limits be made in writing to the City Council for consideration on a case by case basis. Further it must be stated whether or not an alternative water supply is available and what that water supply is. Second by Simms.

Voting Yes: Simms, Smith, Coleman, Ingram and Schmidt

Voting No: None

There being no further business, Council adjourned at 6:40 P.M. and went into executive session to discuss personnel and legal matters.

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, March 20, 1978 at 5:15 P.M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James Simms, Darwin "Bo" Smith, Dr. R. W. Ingram,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

Samuel Coleman, Charles Schmidt,	Councilmen

Also Present:

Norman Dugas,	City Attorney

Meeting was called to order by Mayor Shepherd who gave the invocation.

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 Smith.

Voting Yes: Simms, Smith and Ingram

Voting No: None

City Manager stated that it is time for the Board of Equalization to be appointed for the tax year 1978. He recommended that the present Board consisting of A. F. Vaughn, Dennis Maynard and Milford Ruby be reappointed. Second by Ingram.

Voting Yes: Simms, Smith and Ingram

Voting No: None

City Manager read a letter from the Tax Assessor-Collector that recommended the City increase the elderly Homestead exemption from $3000. to $4000. This is for persons over 65 years of age. He stated that the City has reappraised several pieces of property now on the Homestead Exemption Roll increasing them in value. The proposed increase would be nominal so far as money involved; therefore Mr. Holberg recommended the Council adopt the Tax Assessor-Collector's proposal to raise the homestead exemption from $3000. to $4000. After discussion, Simms moved to accept this recommendation. Second by Ingram.

Voting Yes: Simms, Smith and Ingram

Voting No: None

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City Manager presented a letter of resignation from Assistant City Judge James T. Duncan. He explained that Mr. Duncan has moved to Tyler. Simms moved the resignation be accepted with regret. Second by Ingram.

Voting Yes: Simms, Smith and Ingram

Voting No: None

Mayor Shepherd stated that no decision has been made in appointing a new Assistant City Judge. The matter was tabled until a later time.

Mr. C. W. Whitford representing the Diboll Jaycees appeared before the Council to present a slide presentation of a proposed mini-park. He was assisted by Mr. Richard Oates. The first proposed mini-park would be located on a triangle of land fronting Neal Pickett behind the industrial plants. The basic reason for appearing before the Council was to ask assistance in the construction of the park and that the City assume maintenance once the park is completed. Mr. Whitford pointed out on a map the location and also explained what type playground equipment that is proposed. After the presentation, Council commended the Jaycees on the project. Smith moved the City assist in the construction of the park and also assume maintenance when completed. Second by Ingram.

Voting Yes: Simms, Smith and Ingram

Voting No: None

Mrs. Ellen Temple representing the City's Beautification Committee appeared before the Council to discuss a clean-up campaign for the entire City. Mrs. Temple explained that this project will be to encourge all citizens to participate in ridding the town of all litter and trash. Mr. Holberg stated that City employees will be responsible for cleaning the median through town and also to provide garbage trucks at two locations on official "clean-up day". Mrs. Temple stated that April 22 will be proclaimed as "Spring Clean-Up Day". She further explained that this would be a long-range clean-up campaign. After considerable discussion, Simms moved that the City sponsor a clean-up campaign on April 22, 1978. Second by Ingram.

Voting Yes: Simms, Smith and Ingram

Voting No: None

Gary Jones, Fire Chief, appeared before the Council to present facts and figures on the operation of the fire department. He pointed out the City has spent numerous man-hours answering fire calls outside the City Limits. With the cost of equipment and supplies continually rising, all volunteer departments are becoming concerned about fires within the county. He stated that the county has never budgeted any funds for the Volunteer Fire Departments. He stated that the Angelina County Fire Fighters Association plans to present a request to the County Commissioners Court at its next regular meeting asking for financial help. Mr. Jones explained that he would like to have Council support before going to the Commissioner's Court. After discussion, Ingram moved the City authorize Fire Chief Jones to take part in the request for funds from the

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County. Second by Simms.

Voting Yes: Simms, Smith and Ingram

Voting No: None

Council further agreed that a letter from the Mayor should be sent to the County Judge regarding the Fire Fighters Association's request.

City Manager presented the final estimate form Temple Associates for the construction of the Public Safety Center and City Hall remodeling in the amount of $18,964.42 and asked for authorization to make payment. Simms moved the final estimate be paid. Second by Ingram.

Voting Yes: Simms, Smith and Ingram

Voting No: None

Mr. Holberg stated that again this year the Booster Club has proposed the City hire a summer recreation director to be paid by the Booster Club. He further stated that he has recommended and received approval from the Booster Club on the City employing a full time Recreation Director with the City and Booster Club funding this position on a 50-50 basis. He stated that the Director could formulate and conduct recreation programs during the summer months and act as an administrative assistant to the City Manager in the off season. Councilman Ingram stated that he feels the City should have a Recreation Director but does not feel the City is large enough to have an Administrative Assistant. After much discussion, Simms moved the City Manager employ a Park and Recreation Director as soon as possible on strictly a part-time basis. Second by Ingram.

Voting Yes: Simms, Smith and Ingram

Voting No: None

Councilman Simms urged the Council to follow up on the recreation program and have plans formulated by Fall so that a person could be employed at the early part of the year rather than wait until the program is ready to be started. This would give the director ample time to coordinate the programs in time for summer use.

City Manager reported that the City has received two requests for water outside the City Limits. The first is from William Peebles who is requesting water service on a piece of property located off Farm Road 1818 adjacent to Sherwood Forest Addition.

The second application is from Mr. and Mrs. Doug Warner. Their property is located outside the City Limits on or just off of Farm Road 1818. Mrs. Warner stated that loss of production on their well corresponded with the City's completion of the City's newest water well, both being located in the same area. This has not been proved, however.

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Both of these requests are within the dual certification area between Prairie Grove Water Supply Corporation and City of Diboll. There was considerable discussion among the Council since the City has not been able to locate any additional water although two tests holes have been drilled. Concern over a shortage of water was voiced. After discussion, Simms moved to deny both requests for water outside the City Limits. Second by Smith.

Voting Yes: Simms, Smith and Ingram

Voting No: None

Alderman Simms then instructed the City Manager to keep these applications on file for consideration should an additional water supply be located and the City be in a better position to serve these customers.

There being no further business, Council adjourned at 6:40 P.M. and went into executive session to discuss a personnel matter.

C. H. Shepherd Jr
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, April 17, 1978 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Charles Schmidt, Dr. R. W. Ingram, Samuel Coleman, Darwin "Bo" Smith,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

James P. Simms,	Councilmen

Also Present:

John Sloan,	City Attorney

The meeting was opened with prayer by Mayor Shepherd.

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: Schmidt, Ingram, Coleman, Smith

Voting No: None

City Manager introduced an ordinance to increase the homestead exemptions from $3,000. to $4,000. as approved at the previous meeting. After brief discussion, Schmidt moved the ordinance be passed and adopted. Second by Smith.

Voting Yes: Schmidt, Ingram, Coleman, Smith

Voting No: None

Mayor Shepherd then held the swearing-in ceremony for the newly elected Council members, Fred Weeks, Charles Schmidt, Dr. R. W. Ingram, and Darwin Smith. All were elected at the April 1, 1978 City Officials Election.

Mr. Holberg then explained that it is a standard practice for the City Council to elect a Councilman to the position of Mayor Pro-Tem. Mayor Pro-Tem presides in the absence of the Mayor. Dr. Ingram nominated Charles Schmidt. Sam Coleman seconded the nomination and moved that the nomination cease. Schmidt was unanimously elected as Mayor Pro-Tem.

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Gary Reppond and Earl Carr, employees of the Water and Sewer Department were recognized upon completion of recent license requirements. Earl Carr received his "C" Water and "C" Sewer license. Gary Reppond received his "D" Water license. City Manager Holberg reported that all employees were being encouraged to continue education in their related fields.

City Manager reported that a tractor-mower for the sewer plant grounds had been included in this year's budget and asked for Council to authorize bids being received. He recommended Wednesday, May 10, 1978 at 10:00 A. M. be set as the date to receive bids. Ingram moved to accept the Manager's recommendation. Second by Schmidt.

Voting Yes: Schmidt, Ingram, Coleman and Smith

Voting No: None

Mr. Holberg stated that for some time parts of the Mobile Home Ordinance have been discussed. Several residents of Sabine Mobile Home Park were present to discuss why they felt skirting around a mobile home and concrete steps should not be required in the Mobile Home Park. After considerable discussion, Schmidt moved the City's ordinance be amended to delete the requirement of skirting and concrete steps on all mobile homes within the City. Second by Smith.

Voting Yes: Schmidt, Ingram, Coleman and Smith

Voting No: None

City Manager reviewed with the Council recent changes voted by the Park and Recreation Board regarding the Golf Course. The main items are:

(1) Increase in green fees and annual memberships. Green fees will increase from $4.00 to $5.00 on weekdays and from $5.00 to $6.00 on weekends. Annual memberships will increase from $100.00 to $120.00 for individual and from $150.00 to $180.00 for family memberships.

(2) Initiation of a fee for the use of private carts on the Golf Course. The private cart fee is to be $2.00 for nine holes and $3.00 for eighteen holes. The City will receive 1/3 of the fee and the Golf Pro will receive 2/3. This is to protect the investment of the Golf Pro.

The Board also discussed Sabine Investment moving the maintenance barn at the Golf Course so there will be a clear view of the new pool and tennis courts now under construction. The Booster Club is furnishing benches and an attachment for the mowing machine. After the discussion of the Park Board meeting, Ingram moved the Council approve its action. Second by Smith.

Voting Yes: Schmidt, Ingram, Coleman and Smith

Voting No: None

No recommendation for an Assistant Municipal Judge was made.

City Manager reported that he had a proposal from Southway Gardens to landscape the Public Safety Center. After discussion, Smith moved other bids

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be secured before a decision is made. Second by Schmidt.

Voting Yes: Schmidt, Ingram, Coleman and Smith

Voting No: None

Mr. Holberg reported that dog tag expiration dates are set at one year from the date of issuance. He recommended that one date for expiration be set. After discussion, Smith moved the date be August 1 as is now stated in the ordinance. Second by Coleman.

Voting Yes: Schmidt, Ingram, Coleman and Smith

Voting No: None

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

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of the regular meeting of the City Council of the City of Diboll, Texas, May 15, 1978 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

Charles Schmidt,	Mayor Pro-Tem
R. W. Ingram, Samuel Coleman, Darwin "Bo" Smith, Fred Weeks, Sr.,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

C. H. Shepherd, Jr.,	Mayor

Also Present:

John Sloan,	City Attorney

Meeting was called to order by Mayor Pro-Tem Schmidt.

The invocation was given by Jeff Holberg.

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 Smith.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

City Manager Holberg presented a preliminary plat of Wells Addition as reviewed by the Planning and Zoning Commission. Mr. Holberg reported that the plat was approved by the Planning and Zoning Commission and recommended Council approval of the plat as presented. After brief discussion, Ingram moved Council approve the preliminary plat of the Wells Addition. Second by Coleman.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

City Manager reported that a dated for a public hearing needs to be set regarding a proposed zone change from R-1 to C-2 on Lot 7, Block 1, A. C. Hall Addition. He explained that he will be out of town on June 19 which is the regular meeting date and recommended another date be set. After discussion, Smith moved the meeting be scheduled for June 22, at 5:15 p.m.

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and that the hearing be a part of the regular Council meeting. Second by Coleman.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

City Manager reported the sewer replacement project in the Town of Diboll Addition funded by the Community Development Block Grant is completed. He stated that two change orders to the original contract were necessary and the total contract amounted to $119,558.91. The Block Grant did not fully cover this cost and it does not include work done by City forces. In addition, the line extended to Persimmon Street does not pick up several houses on the lane off of Ash Street. A six inch main still needs to be installed here. Mr. Holberg stated that all lines have been tested and approved and recommended final payment to McKinney and Moore, Inc. in the amount of $18,625.12. Smith moved to accept this recommendation. Second by Ingram.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

City Manager stated that recommendations for additional sewer improvement work will be made in the near future.

Mr. Holberg stated that in this year's budget, Council had approved providing retirement benefits to the Volunteer Fire Department under the Firefighter's Relief and Retirement Fund Law. He explained that as a part of this, there is a local Board created whose primary responsibility is to determine all claims for benefits and to make the disability rating reports resulting from temporary disability benefit claims.

The local Board is made up from five members of the local Fire Department by majority vote, one representative selected by the Council and two citizens chosen by the other members of the Board. After discussion, Mayor Pro-Tem recommended City Manager Holberg be elected to represent the governing body. Coleman moved to accept the recommendation. Second by Ingram.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

Mr. Al Luedke, representing the State Department of Highways and Public Transportation, appeared before the Council to discuss the possibility of lowering the speed limit through the City on Highway 59. Mr. Luedke presented facts concerning the speed checks that his Department have made in Diboll. The results showed that the present 45 mph limit should be perhaps 50 or 55 mph. Mr. Luedke explained that part of the traffic problem through the main section of town might possibly be eliminated by closing the crossover in the median in the shopping center. There was considerable discussion, but no official action was taken.

City Manager reported that bids were opened at 10:00 A. M. on May 10, on a tractor-mower for the sewer plant. He read the bidders and their bids.

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He stated that DuBose and Son presented a bid closest to the specifications required and recommended the bid be awarded to W. A. DuBose and Son in the amount of $6,038. which is $762.00 over the budgeted amount. After discussion, Coleman moved to accept the Manager's recommendation. Second by Ingram.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

The bid tabulation is attached to and made a part of these minutes.

Manager Holberg reported that the City's application to the Texas Parks and Wildlife Department for park improvements was not approved in April. He stated that he feels the City has a good chance to be funded in October when the application review committee meets. Mr. Holberg stated that he felt preparation of detailed plans and specifications for a least the swimming pool and tennis court portions of the project should begin. These items will be eligible for reimbursement if the grant is awarded. He stated representatives will be in Diboll on May 18, to make an on-site inspection. After general discussion, Smith moved that the City leave its application on file until the October review and that preliminary work begin as recommended. Second by Ingram.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

Mr. James Kerbo, Manager of Texas Power and Light in Lufkin, appeared before the Council to discuss the recent action by the Public Utility Commission concerning the request for a rate increase. After the presentation, Mr. Holberg reported that the City's consultant did not agree with the decision of the Public Utility Commission in that the consultants recommended a $34.8 million dollar increase and the Commission approved over a $40. million dollar increase. He stated that our consultant and attorney are filing a motion for a rehearing. He recommended the City suspend the rate increase for an additional thirty days as allowed by law. After discussion, Smith moved to accept the City Manager's recommendation to suspend the rate increase for an additional thirty days. Second by Coleman.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

City Manager recommended that Wednesday, June 13, 1978 at 10:00 A. M. be set as the date to receive bids on the following "seal coat" and reconstruction work on the following streets: The "seal coat" work will consist of a one course of inverted penetration paving on Harris Street from U.S. 59 to the end of curb and gutter just east of Devereaux; Devereaux Street from Harris Street to Durham: Durham Street from U.S. 59 to Devereaux; Rutland Street from Harrington to Durham; Judd Street from U.S. 59 to Devereaux; Kenley Street from U.S. 59 to Devereaux; Harrington Street from U.S. 59 to Devereaux and Burke Street from U.S. 59 to Harrington.

The second portion of the street construction project is reconstruction of North First Street from Borden Street to Harris Street. This section is

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deteriorating and total reconstruction is necessary. After discussion, Smith moved the bids be received on June 13, at 10:00 A.M. Second by Ingram.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

A resolution was introduced which authorized the County Judge to submit a Community Block Grant Pre-Application for funds to purchase equipment for the counties' Volunteer Fire Departments. In order for this to be filed, the City needs to adopt this resolution. Ingram moved the resolution be passed and adopted. Second by Smith.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

City Manager reported that Temple-Eastex is constructing a new wood-fired boiler and is proposing to have access to the boiler from Pine Valley Road. This is the section of the Old Pine Valley Road from Hendrix to Third Street. With such a heavy traffic load each day, Mr. Holberg stated that he feels reconstruction of this portion of street should be included in next year's budget and that preliminary work be authorized at this time. Preliminary work to be course samples, laboratory tests of existing surface and base materials, as well as subgrade and surrounding soils. After discussion, Ingram moved the Manager be authorized to proceed with preliminary work on the reconstruction of Pine Valley Road. Second by Coleman.

Voting Yes: Ingram, Coleman, Smith and Weeks

Voting No: None

There being no further business, meeting adjourned at 6:30 P. M.

C. H. Shepherd Jr
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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BID TABULATION
CITY OF DIBOLL

PINEY WOODS TRACTOR & IMP., INC. Kubota L285 Tractor	$5,010.00			
Heins Farm Equipment, Inc. Tractor/Mower # 950	$4,850.00			
Heins Farm Equipment, Inc. Tractor/Mower # 2040	$7,410.00			
W. A. Dubose & Son Tractor/Mower # 2600 32 HP	$6,038.00			

DATE May 10, 1978

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, June 22, 1978 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr,	Mayor
Dr. R. W. "Woody" Ingram, Darwin "Bo" Smith Fred Weeks, Samuel Coleman,	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

Charles Schmidt,	Councilmen

Also Present:

John Sloan,	City Attorney

Dr. R. W. Ingram was excused after Item #4. Samuel Coleman was not present until Item #4.

The meeting was called to order by Mayor Shepherd who gave the invocation.

Ingram 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 Smith.

Voting Yes: Ingram, Smith and Weeks

Voting No: None

Mayor Shepherd declared that a public hearing was now open to consider a request for a zone change from R-1 to C-2, Lot 7, Blk 1, A. C. Hall Addition. The request has been denied by the Planning and Zoning Commission. City Manager distributed to Council members a map showing the area and the property owners. Mayor Shepherd asked those present in favor of the zone change to speak first. The names of those are listed below.

Willie Hall	George Clark	Curley Young	Clint Walker
Frank Griffin	Betty Hunt	Lonell Young	Harry Nash
Irene Oliphant	Gwendolyn Adams	Vallas Starghill	

Those who spoke against the zone change were Joyce Smith and Johnnie McCloud.

There was considerable discussion and explanation as to why the zone change is requested. Lonell Young, owner of the property, stated that he is planning to open a restaurant and pool hall. City Manager explained that the zone change does not automatically approve a pool hall; that Mr. Young will have to make application for a pool hall permit. After much discussion,

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Weeks moved to approve the zone change. Second by Coleman.

Voting Yes: Smith, Weeks and Coleman

Voting No: Ingram

Manager Holberg reported that a date needed to be set to meet with the Planning and Zoning Commission to discuss review of the Zoning and Subdivision Ordinance. He recommended that June 29, 1978 at 5:15 P. M. be set. Smith moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Smith, Weeks and Coleman

Voting No: None

Manager Holberg presented a preliminary plat of Shannan Forest Addition, Section 2 and recommended approval subject to the following:

(1) All materials to be subject to final City Approval.

(2) On site changes in construction be given prior written approval by the City.

(3) The developer make such drainage improvements as necessary along the Entex pipeline to drain Section 2 and also future sections. The developer will bear all the expense for the improvements.

After discussion, Smith moved to accept the preliminary plat of Shannan Forest Addition, Section 2, subject to the listed recommendations.

Voting Yes: Smith, Weeks and Coleman

Voting No: None

Manager Holberg stated that minutes of the last Park and Recreation Board meeting had been distributed. Coleman moved the actions of the Board be accepted as written in the minutes. Second by Smith.

Voting Yes: Smith, Weeks and Coleman

Voting No: None

Mr. James Kerbo, Manager of Texas Power and Light Company in Lufkin, appeared before the Council to request that the City approve the decision of the Public Utility Commission regarding the rate increase. He stated that the Public Utility Commission had granted a 6.69% increase. However, Mr. Holberg stated that the consultants for the City had recommended a 5.4% increase. Thre was considerable discussion concerning the fact that the City cannot prevent the increase from becoming effective, even if voted against. After discussion, Coleman moved to accept the rate increase as approved by the Public Utility Commission. Second by Weeks.

Voting Yes: Weeks and Coleman

Voting No: Smith

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City Manager then introduced and ordinance to accept the rate increase. Coleman moved the ordinance be adopted. Second by Weeks.

Voting Yes: Weeks and Coleman

Voting No: Smith

City Manager reported that serious problems with the piping system and skimmers at Walter Allen Pool had made it impossible to open the pool as scheduled. He stated that the total cost of repairs were estimated at $11,000. Since the pool is owned by the Booster Club, funds had been requested from them to make the needed repairs. The Booster Club had voted to pay $5,400. and the City $5,600. Mr. Holberg stated that he had called an emergency meeting of the Council to discuss this, but that a quorum was not present. Indication from the member who were present at the meeting was to proceed with the repairs so that the pool could open as soon as possible. Mr. Holberg stated that he had authorized the work to begin and asked this action be ratified. After discussion, Coleman moved to confirm the action of the City Manager. Second by Smith.

Voting Yes: Coleman and Smith

Voting No: Weeks

The following recommendations for Board appointments were given by the Mayor.

(1) Library Board - Dick Donovan to replace Paul Durham
Richard Krull to replace Alan Miller

Smith moved these appointments be accepted. Second by Weeks.

Voting Yes: Coleman, Smith and Weeks

Voting NoN; None

(2) Board of Adjustments and Appeals - Bennie Scott and Richard Donovan be reappointed. Smith moved these appointments be tabled until the next meeting so a possible replacement could be made for Richard Donovan since he is already serving on the Library Board. Second by Coleman.

Voting Yes; Coleman, Smith and Weeks

Voting No: None

(3) Planning and Zoning Commission - Kenneth Nelson and Bill Oates be reappointed. Weeks moved to accept this recommendation. Second by Smith.

Voting Yes; Coleman, Smith and Weeks

Voting No: None

City Manager requested that July 12, 1978 at 10:00 A. M. be set as the date to open bids on "Seal Coat Project" since no bids were received

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on June 13. Smith moved July 12 be set as the date to again receive bids on the "Seal Coat Project". Second by Weeks.

Voting Yes: Coleman, Smith and Weeks

Voting No: None

City Manager presented a letter from McKinney and Moore Construction Company, contractors for the Old Town of Diboll Sewer Project, requesting reimbursement for $800. of expense. This was cost of road boring by a subcontractor. Mr. Holberg stated that contact specifications call for the contractor to locate all existing utilities on the ground before proceeding. Work on the road bore was initiated prior to determining the locations of existing utilities and Mr. Holberg recommended that the City not reimburse McKinney and Moore the $800. Smith moved to accept the Manager's recommendation. Second by Weeks.

Voting Yes: Coleman, Smith and Weeks

Voting No: None

City Manager presented a request from Marie Bane for water service outside the City Limits near the Golf Course. Ingram had requested that the request be tabled until June 29, 1978 so that he could be present. Smith moved to table the request for water. Second by Coleman.

Voting Yes: Coleman, Smith and Weeks

Voting No: None

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

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
City Secretary

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas July 17, 1978 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Fred Weeks, Sr, Samuel Coleman, Dr. R. W. Ingram, Darwin "Bo" Smith, Charles Schmidt,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

The meeting was opened by Mayor Shepherd who also gave the invocation.

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: Weeks, Coleman, Ingram, Smith and Schmidt

Voting No: None

City Manager reported that the final plat of Wells Addition had been approved by the Planning and Zoning Commission and recommended Council approval subject to obtaining permanent zoning and payment for sewer stub-outs. After brief discussion, Schmidt moved to accept the Manager's recommendation. Seconded by Smith.

Voting Yes: Weeks, Coleman, Ingram, Smith and Schmidt

Voting No: None

City Manager recommended that Wednesday, August 16, 1978 at 10:00 A.M. be set to receive bids on Workers' Compensation Insurance. Smith moved this recommendation be accepted and bids be received on August 16. Second by Schmidt.

Voting Yes: Weeks, Coleman, Ingram, Smith and Schmidt

Voting No: None

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City Manager reported that bids had been received on July 12 for the street seal coat project. The one bid received is from T. R. Vardeman and Company of Nacogdoches in the amount of $16,576.17. Mr. Holberg explained that at this time, there is a shortage of quality aggregate. He further explained the contractor reserves the right to renegotiate the bid if the aggregate specified in the plans is unavailable ten (10) days before the completion date for the project. Mr. Holberg stated that he feels this is reasonable and recommended acceptance of the bid. Schmidt moved to accept the Manager's recommendation. Second by Smith.

Voting Yes: Weeks, Coleman, Ingram, Smith and Schmidt

Voting No: None

City Manager reported that Monday, July 31, 1978 at 4:00 P. M. has been set as the date for the administrative hearing regarding proposed uses of anticipated General Revenue Sharing Funds. He stated $110,000. in entitlement funds is anticipated for the fiscal year beginning October 1, 1978. The hearing will afford citizens a time to offer comments and suggestions on the use of the proposed funds.

Mr. Holberg reported that several months ago the City had run tests on the Particleboard Plant sewer discharge and had discovered phenol levels in their wastewater to be in excess of the Industrial Waste Ordinance's limit. In further tests by the Environmental Division of Temple-Eastex, it was discovered that the phenol level in the City's domestic water supply also exceeded the Industrial Waste Ordinance limit. After an investigation by Everitt Griffith and Associates to see if the phenol limit established was reasonable, it is recommended that the current limit of .01 parts per million is unreasonable and that the limit should be raised to .1 parts per million.

In addition, the engineers recommended the City establish procedures regarding the process by which industry requests permission to discharge into the City sewer system and how those requests will be treated. Mr. Holberg stated that he feels the industry requesting the discharge permit should reimburse the City for its costs for engineering, testing, and related work done to determine the effect the discharge would have on the sewer system. All tests and analysis will be determined on a case by case basis by the City's engineers.

If the industry is approved for discharge, periodic self-reporting by the discharger would be conducted with the City conducting periodic independent tests and a heavy metals test at least once annually, with reimbursement of expense from the industry. Also, if an upset occurs at the City's sewer plant, such testing necessary would possibly be considered as a reimbursable expense of the industry to the City. Also included in the amendment would be the right of the City to make periodic inspections and to require adequate sample station facilities.

After considerable discussion, Schmidt moved that the City's Industrial Waste Ordinance be amended to include the recommendations outlined by the City Manager. Second by Ingram.

Voting Yes: Weeks, Coleman, Ingram, Smith and Schmidt

Voting No: None

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City Manager reported that the City has received a request from Temple-Eastex Particleboard Division to alter its current permit to discharge boiler blow-down and cooling water into the City's sanitary sewer system. The request was for a two year time period, but now the industry is requesting it be allowed to discharge into the system on a permanent basis. Mr. Holberg stated he finds no objections to this provided that the industry comply with the engineers recommended testing schedule. Any tests run by the City will be paid for by the industry. After discussion, Schmidt moved the request be granted. Second by Smith.

Voting Yes: Weeks, Coleman, Ingram, Smith and Schmidt

Voting No: None

City Manager recommended the firm of Axley and Rode be retained to audit the City for the fiscal year ending September 30, 1978. Ingram moved this recommendation be accepted. Second by Coleman.

Voting Yes: Weeks, Coleman, Ingram, Smith and Schmidt

Voting No: None

City Manager reported that the City has received an application from Mr. Lonell Young for a pool hall permit at his business located at 810 Cypress Street. This will be considered by the City Council. Mr. Young was present and spoke on behalf of his request. After considerable discussion, Weeks moved the Council not make the decision on the application, but as the ordinance stipulates, the City Manager and Police Chief work together on whether or not the permit should be issued. Second by Coleman.

Voting Yes: Weeks, Coleman, Smith and Schmidt

Voting No: Ingram

Two requests for water service outside the City Limits were presented for Council consideration. The first was from M. D. Scarborough who requested service in the area adjacent to the Municipal Golf Course. There is an existing water line and no other source of water is available. The second is from Levy Ray Ellison who requested water service on Holubec Street. Again there is an existing line and Burke water is also available. After discussion, Smith moved to allow water service to both applicants. Second by Ingram.

Voting Yes: Weeks, Coleman, Ingram, Smith and Schmidt

Voting No: None

City Manager stated that the City is in the process of closing out the Block Grant and updating the files for a review by HUD. He presented a resolution outlining the actions taken by the City Council in acquiring the necessary easements. This is an administrative matter used to provide adequate support for the acquisition of the easements. Smith moved the resolution be adopted. Second by Schmidt.

Voting Yes: Weeks, Coleman, Ingram, Smith and Schmidt

Voting No: None

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Mr. Holberg stated that funds were allocated in this year's budget to contract with the county for the provision of tax maps. The map will be of considerable help in determining property ownerships and boundaries. The total cost of the maps is $6,666.66, to paid over a three year period. He recommended approval of the contract and payment to the county. After discussion, Schmidt moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Coleman, Ingram, Smith and Schmidt

Voting No: Weeks

Appointments to the Board of Adjustments were tabled until a selection has been made.

Mr. J. S. Nicholson, representing Southern Pacific Railroad appeared before the Council to respond to questions concerning trains blocking crossings in Diboll. It was determined that the particular crossing being blocked for long periods of time is the last crossing inside the City Limits - North. Mr. Nicholson explained that this crossing was made for the convenience of the families who lived there and the agreement stipulated that the crossing could be used if the railroad was not using it. He further explained that in order to keep from blocking the crossings at Borden and Mill where the majority of citizens cross, the trains are left at the edge of town which caused the crossing at the extreme City Limits to be blocked. After considerable discussion, Schmidt moved that no official action be taken by the Council and efforts be made to leave the Borden and Mill Street crossings open. Second by Ingram.

Voting Yes: Coleman, Ingram, Smith, Weeks and Schmidt

Voting No: None

There being no further business, Council adjourned at 6:45 P. M. and went into executive session to discuss ad valorem tax policy.

C. H. Shepherd Jr
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of City Council meeting Monday, July 24, 1978 at 5:15 P.M., City Hall.

Members Present:

Samuel Coleman Charles Schmidt Fred Weeks Sr. Russell W. Ingram	Council Members
C. H. Shepherd Jr.	Mayor

Also Present:

John Sloan,	City Attorney
Jeff Holberg,	City Manager
Leo Hearne,	Street Superintendent
Becky Chapman,	Tax Assessor/Collector

Members Absent:

Darwin "Bo" Smith

The first item was to consider setting date to receive bids on Walter Allen Pool pavilion. Motion was made by Dr. Ingram and seconded by Coleman to set 10:00 A.M., August 9, as date to receive bids.

Voting Yes: Schmidt, Weeks, Coleman, and Ingram

Voting No: None

Superintendent Hearne, advised the City Council in an informal manner, of necessity to remove certain trees on right of way at Lawrence Street. No action was needed and none was taken.

The City Council then went into Executive Session to discuss personnel and legal matters. The meeting was adjourned at approximately 7:15 P.M.

_____
Mayor

_____
City Manager

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, August 21, 1978 at 5:30 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.	Mayor
Darwin "Bo" Smith, Fred Weeks, Sr., Dr. R. W. "Woody" Ingram	Councilmen
Jeff Holberg,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

Charles Schmidt,	Councilman
Samuel Coleman,	Councilman

Also Present:

Norman Dugas, Jr.	City Attorney

The meeting was opened by Mayor Shepherd who gave the invocation.

Smith 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 Ingram.

Voting Yes: Smith, Weeks, and Ingram

Voting No: None

Mayor Shepherd then declared the meeting would go into executive session to discuss the report of the Parks and Recreation Board. After regular meeting resumed, Ingram moved that Jerry Gartman and Bill Gartman be employed as a managing partnership, as recommended by the Park Board, for the Municipal Golf Course and that the proposed Letter of Agreement between the partnership and the City be accepted. Second by Smith.

Voting Yes: Smith, Weeks, and Ingram

Voting No: None

Manager Holberg then reported that the present golf pro, Ray Paulsey, has submitted his resignation to become effective on September 5, 1978.

Mayor Shepherd then declared that a public hearing was open to hear pros and cons regarding dilapidated structures. No one appeared to speak.

City Manager reported that on Monday, June 26, 1978, the Building Hazards Board met to consider seven structures proposed by the Building Inspector for action. Mr. Holberg explained the actions taken by the Building Hazards

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Board for Council consideration. After the discussions, the following actions were approved by the City Council.

Mr. Holberg stated that a letter has been received from Mrs. Algerita Thomas on behalf of the property owned by Mrs. K. J. Spencer. Mrs. Thomas, in her letter, has expressed her desire to bring the structure up to standards. Mr. Holberg recommended she be given an additional 120 days to complete the proposed improvements. Weeks moved to accept this recommendation. Second by Ingram.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

City Manager reported that the condemned property on Lynn Street is owned by J. Arthur Johnson. He stated that only a partial structure is here, mostly rubble, and recommended that the City take immediate action to clean the lot of rubble and place a lien against the property for the cost of clean-up. However, Alderman Weeks reported that Jo Ann Johnson is now in charge of this property and possibly did not receive notification from the City to condemn. After discussion, Smith moved that fifteen (15) days be given to locate Mrs. Johnson and then an additional thirty (30) days for her to clear the lot. However, if not cleaned by this extended time, the City would then take action to clear the lot. Second by Ingram.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

The final structure is owned by Willie Ross at 400 S. First Street. Mr. Holberg stated that Mr. Ross has been in City Hall to request time to bring this structure up to standards. He stated that some of the weeds and rubbish have been cleared, but no steps have been taken to correct the structural deficiencies. He recommended that Mr. Ross be given an additional ninety (90) days to make necessary improvements; if not made the City would take immediate steps to condemn the structure. After discussion, Ingram moved to accept the Manager's recommendation. Second by Smith.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

Other property owners who had been notified of condemnation were Rafe Conway, Romie Blount, Winston Richard and W. L. Richardson. No action is required at this time on these since they were already in the process of either disposing of the structures or cleaning the lots. All owners have been notified of the time limit that is extended on completion.

Mrs. Becky Chapman, Tax Assessor-Collector, appeared before the Council to present a report that outlined the City's reappraisal program that has been conducted over the past several years. The report reflected the methods used in the reappraisal program. Mrs. Chapman stated that it is the intent of the tax office to complete reappraisal of all commercial property within the taxing jurisdiction by 1980. After the report and Council discussion,

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Mr. Holberg recommended that Council adopt a policy requiring an annual report by the Tax Assessor-Collector regarding the City's tax roll and the need for reappraisal. Ingram moved to accept the Manager's recommendation. Second by Smith.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

City Manager reported that bids had been received on August 16 on Workers' Compensation Insurance coverage. Bidders and their bids are as follows:

Deep East Texas Workers' Compensation	$ 8,988.08
Bartlett, Baggett and Shands	10,498.00
TML Workers' Compensation Fund	8,988.00

Mr. Frank Strother appeared representing Deep East Texas Workers' Compensation and explained different points about the coverage. After Council discussion, Smith moved that the Workers' Compensation Insurance be placed with Deep East Texas Workers' Compensation. Second by Ingram.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

Mr. Strother then explained that a representative of the City will need to be appointed to serve on the Board of the Deep East Texas Workers' Compensation Insurance.

Mr. Holberg stated that only one completed bid had been received on construction of a pavilion at Walter Allen Pool. It is from J & W Contractors in the amount of $5,280.19. He stated that while this bid is over the $5,000. amount provided by the Booster Club, there are sufficient funds in the Park Budget to cover the extra cost as well as funds to build a fence. After discussion, Smith moved to accept the bid from J & W Contractors in the amount of $5,280.19. Second by Ingram.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

City Manager reported that each Alderman had received a letter from the State Department of Health stating that the City water system is being operated in accordance with acceptable practices and is recognized as a State approved water system. In addition, the letter commends the City employees, under direction of M. D. Scarborough, for the manner in which they maintain and operate the system. Mr. Holberg stated that he would like to add that it is quite an accomplishment that our system continues to meet the high standards set by the Texas Department of Health.

City Manager reported that a date needs to be set for a staff-council workshop to discuss the budget for 1978-79. After discussion, August 28, 1978 at 6:00 P. M. was set for the first workshop, to be held in the meeting room at Diboll City Hall.

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Mayor Shepherd reported that the terms of H. G. Stubblefield, Jr., Ken Holt, Albert Delco and Harold Maxwell on the Park and Recreation Board are expiring this month. He recommended that all four (4) members be reappointed. Ingram moved to accept the Mayor's recommendation. Second by Smith.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

The terms of the newly appointed Park Board members will expire in August of 1980.

Weeks moved that since the policy regarding driveway permits is quite detailed, he felt the Council needs more time to study the proposal and moved the item be tabled until a later meeting. Second by Ingram.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

City Manager reported that the City has been granted title to a 1975 Oldsmobile that the Police Department confiscated during the commitment of a felony. Mr. Holberg stated that the City had intended to use the car but that it needed a great deal of work and would cost more than it is worth to repair. He recommended that he be authorized to sell the vehicle by a method acceptable by State Law. Council considered an auction or receiving sealed bids. After discussion, Ingram moved that sealed bids be received with the lowest bid the City would accept be $1,048. Second by Smith.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

City Manager reported that in order to provide sufficient facilities for next summer, specifications and design of the proposed swimming pool, tennis courts and ballfield portion of the Park Project should be authorized. He stated that even if the City does not receive the State funds requested in a grant, these portions of the project can be funded by the City. After discussion, Smith moved design and specifications on the three proposed projects discussed be authorized. Second by Ingram.

Voting Yes: Smith, Weeks and Ingram

Voting No: None

There being no further business, Council adjourned at 7:10 P. M. and went immediately into executive session to discuss a legal matter.

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, September 18, 1978 in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Samuel Coleman, Dr. R. W. Ingram, Charles Schmidt, Fred Weeks, Sr.,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

Darwin "Bo" Smith,	Councilman

Also Present:

John Sloan,	City Attorney

The meeting was called to order by Mayor Shepherd who gave the invocation.

Ingram 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: Ingram, Schmidt, Coleman and Weeks

Voting No: None

City Manager reported that the City as a member of the Deep East Texas Council of Governments, is allowed one representative on its executive board. He stated that the Mayor has been filling this position. Weeks moved that Mayor C. H. Shepherd, Jr. be reappointed to the DETCOG Board. Second by Ingram.

Voting Yes: Ingram, Schmidt, Coleman and Weeks

Voting No: None

Mr. Holberg stated that bids had been received on September 13, as specified by Council, on the sale of a 1975 Oldsmobile 98 confiscated by the Police Department. No bids were received on September 13, however, one bid was received on September 14. He stated the bid had not been opened and if Council desired, informalities could be waived, the bid opened and considered or be returned to the bidder and the City readvertise. Ingram moved to waive informalities and open the bid. Second by Coleman.

Voting Yes: Ingram, Schmidt, Coleman and Weeks

Voting No: None

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The bid was from Jerry Rains in the amount of $1,311.85. Mr. Holberg then explained that the City will owe $548. in storage fees. After discussion, Weeks moved to accept the bid from Jerry Rains and the City pay the storage fees. Second by Ingram.

Voting Yes: Ingram, Schmidt, Coleman and Weeks

Voting No: None

Mr. Ben Campbell with TV Cable of Diboll, appeared before the Council to explain a proposed addition to cable service in Diboll. The new service will be two additional channels, Home Box Office, showing full length movies, and a Christian Broadcasting Network Station. Mr. Campbell stated the Home Box Office will cost an additional $8.50 per month on the cable charge with installation charge of $19.95 for the first set. Each additional set will be $3.00 per month plus cost of material and labor for installation. There will be no charge for the Christian Station. Mr. Campbell requested Council approval on this addition to the cable service. After considerable discussion, Schmidt moved that the Cable TV Franchise be amended to cover the additional charges and services. Second by Ingram.

Voting Yes: Ingram, Schmidt, Coleman and Weeks

Voting No: None

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of a special meeting of the City Council of the City of Diboll, Texas September 25, 1978 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd. Jr.	Mayor
Darwin Smith, Dr. R. W. Ingram, Fred Weeks, Sr., Samuel Coleman, Charles Schmidt,	Councilmen
Jeff Holberg,	City Manager
Geneva Ard,	City Secretary

Members Absent:

None

Also Present:

John Sloan,	City Attorney

The meeting was called to order by Mayor Shepherd.

City Manager presented a draft of an ordinance amending the Cable TV franchise. He read the caption and pertinent information. This amendment will be to include the Home Box Office Channel rates and regulations, and installation charges as approved by Council at the regular meeting. Schmidt moved that the amendment be adopted as presented. Second by Ingram.

Voting Yes: Smith, Ingram, Weeks, Coleman and Schmidt

Voting No: None

Mayor Shepherd stated that a public hearing was now open on the 1978-78 budget. This would give interested citizens an opportunity to offer input regarding the nature of expenditures for the coming fiscal year. One citizen was present to ask questions. After the hearing, City Manager presented an ordinance to adopt the budget in the amount of $1,273, 833., General Fund, $277,444., Water and Sewer Fund and $139,576., General Revenue Sharing. Ingram moved the ordinance be adopted. Second by Coleman.

Voting Yes: Smith, Ingram, Week, Coleman and Schmidt

Voting No: None

City Manager presented an ordinance to adopt the tax rate and tax levy for the fiscal year 1978-79. The ordinance provides for the tax rate of $.80 per $100. assessed valuation. Smith moved the ordinance be adopted. Second by Schmidt.

Voting Yes: Smith, Ingram, Weeks, Coleman and Schmidt

Voting No: None

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A resolution to approve the tax roll for 1978 was presented. The tax roll is based on last year's figures with additions and changes as considered by the Board of Equalization. Mr. Holberg stated that since the roll is already completed, and statements prepared to mail, revisions on the new rate will need to be made. Statements will be mailed at the earliest time possible, probably near December 1, rather than October 1. Ingram moved the resolution be adopted. Second by Coleman.

Voting Yes: Smith, Weeks, Ingram, Coleman and Schmidt

Voting No: None

City Manager presented a resolution from Deept East Texas Council of Governments Workmen's Compensation Insurance Fund to enter into an agreement for the Workmen's Compensation Insurance coverage and to appoint a representative on its Board. Smith moved the resolution be adopted and that the City Manager be appointed as the Board representative. Second by Weeks.

Voting Yes: Smith, Weeks, Ingram, Coleman and Schmidt

Voting No: None

The Workmen's Compensation Insurance was previously approved by Council based on bids received.

City Manager reported that the City has an option to repeal the 1% sales tax on electrical and gas utilities for residential customers. He stated this will be a decrease of approximately $6,000. to the City's revenue, but would be a considerable savings to the customers. Mr. Holberg stated this decrease is already reflected in the budget for 1978-79 and recommended the citizens be given this reduction in taxes. Smith moved the City accept this recommendation and that the City Manager be authorized to sign the necessary documents with the comptroller. Second by Ingram.

Voting Yes: Smith, Weeks, Ingram, Coleman and Schmidt

Voting No: None

There being no further business, Council adjourned at 5:50 P. M.

C. H. Shepherd Jr.
MAYOR

ATTEST:

Geneva S. Ard
CITY SECRETARY

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Minutes of regular meeting of the City Council of the City of Diboll, Texas, November 20, 1978 in the meeting room at Diboll City Hall.

Members present:

C. H. Shepherd, Jr.	Mayor
Charles Schmidt Fred Weeks, Sr. Dr. R. W. Ingram	Councilmen
Jeff Holberg	City Manager
Geneva Ard	City Secretary

Members Absent:

Darwin "Bo" Smith Samuel Coleman	Councilmen

Also Present:

John Sloan	City Attorney

Meeting was called to order by Mayor Shepherd who gave the invocation.

Ingram moved to dispense with the reading of the minutes of the previous meetings and they be approved as previously submitted to each alderman in writing. Second by Schmidt.

Voting Yes: Schmidt, Weeks and Ingram

Voting No: None

City Manager reported that the City has a full description of the two tracts of land totaling 0.677 acres in the 39 T. Quevado Survey recommended for a zone change at the last regular meeting. The owners originally requested that the two tracts be designated on R-2. However, the planning and zoning commission has recommended the zone be changed from PD to R-1. Mayor Shepherd then opened the public hearing for those to speak for or against. No one was present to speak. Schmidt moved to amend the zoning ordinance to include these two tracts zoned from PD to R-1. Second by Ingram.

Voting Yes: Schmidt, Ingram

Voting No: None

Abstain: Weeks

City Manager presented a resolution to accept the tax roll for the 1978 tax year. Schmidt moved the resolution be adopted. Second by Ingram.

Voting Yes: Schmidt, Ingram

Voting No: None

Abstain: Weeks

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City Manager presented an ordinance to adopt the tax rate and tax levy for the 1978 tax year. This is necessary because of the change in the tax rate from $1.00 per $100. Assessed valuation to $.80 per $100. Ingram moved the ordinance be adopted. Second by Schmidt.

Voting Yes: Ingram, Schmidt

Voting No: None

Abstain: Weeks

Mayor Shepherd reported that for some time he has been attempting to find an assistant Municipal Court Judge. He submitted to the council for approval the name of J. B. McConnico. Ingram moved Mr. McConnico be appointed Assistant Municipal Court Judge. Second by Schmidt.

Voting Yes: Ingram, Schmidt, and Weeks

Voting No: None

City Manager reported that the Northwest Sewer Project has been completed and has received acceptance by the city's engineers and staff. He recommended that final payment in the amount of $13,287.10 be made to Crawford Construction Company. Ingram moved to accept the Manager's recommendation. Second by Schmidt.

Voting Yes: Ingram, Schmidt and Weeks

Voting No: None

City Manager reported that as requested by the council, the city's consulting engineers have provided alternatives on the proposed sewer rate increase. Mr. Billy Simms representing Temple Associates was present to explain the changes and answer questions. Several citizens were present for the continuation of the public hearing regarding the proposed water, sewer and sanitation rate increases. Mr. Simms explained the basic rate structures to be considered. The first rate structure being a flat rate per thousand gallons of water consumed for sewer collection and treatment.

The second would be a declining rate structure similar to the water rates. These two alternatives were then broken down into three additional alternatives each. A complete copy of this breakdown is on file in the office of the City Secretary. After much discussion and explanation by the engineer, public hearing on the water, sewer and sanitation rate increases was closed.

Schmidt moved to adopt an ordinance to approve the water, rates as follows:

1st 3000 gal.	4.00 minimum
Next 17,000 gal. (3-17,000)	1.00/thousand gallons
Next 80,000 gal. (20-100,000)	.85/thousand gallons
All Over 100,000 gal. (100,000 & above)	.65/thousand gallons

Second by Ingram.

Voting Yes: Schmidt, Ingram
Voting No: None
Abstain: Weeks

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Ingram moved the sewer rates be based on alternative TB in the calculation figured by the engineer which includes $25,000 from remaining funds on-hand to be used to subsidize sewer operations. Charges will be as follows:

$2.60 minimum for first 3,000 gallons
.66 next 17,000 (3,000-20,000)
.56 next 80,000 (20,000-100,000)
.44 all over 100,000 gallons

Second by Schmidt

Voting Yes: Schmidt, Ingram

Voting No: None

Abstain: Weeks

The rates are based on winter water consumption rates.

Ingram moved that residential sanitation rates be increases from $2.50 per month to $3.00 per month, and that commercial minimum rate be increased from $7.50 per month to $9.00 cubic yard containers will be charged as follows:

Residential	$3.00/ mo.
Commercial	$9.00/mo cubic yards
	.90/ cubic yard thereafter

Residential customers will be furnished 100 plastic bags a year at no extra charge. Second by Schmidt.

Voting Yes: Schmidt, Ingram

Voting No: None

Abstain: Weeks

City Manager reported that during the weekend of November 4, the sewer plant had equipment failure. M.D. Scarborough, Utility Superintendent stated that a shaft on one of the aerators broke and fell into the oxidation ditch. He stated that it will cost approximately $5,400 to repair this damage which includes $3,000 of to be done by Demco Mfg. Mr. Scarborough explained that the plant has been in operation for five years and this is an unexpected expense that was not budgeted. Ingram moved the City make the necessary repairs. Second by Weeks.

Voting Yes: Ingram and Weeks

Voting No: None

Abstain: Schmidt

City Manager reported that the Police Department has been experiencing considerable failures in its two radar units which were purchased just last year. He stated that although the manufacturer has replaced one unit, and it has already been sent in for repair and the company is willing to give service, the units are not dependable.

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Mr. Holberg stated that he has obtained price quotes from Custom and Decateur, the leading manufacturers of radar units. He recommended the City authorize purchase of two new K-Ban moving radar units from Custom in the amount of $4,000. and that Revenue Sharing money be used for payment. After discussion, Weeks moved that no decision be made until further study and that the present company be contacted regarding the failing units. Second by Ingram.

Voting Yes: Ingram, Weeks and Schmidt

Voting No: None

City Manager stated that the City has received a request from Fred Weeks, Sr. requesting water and sewer service outside the city limits. The property is .066 acre tract adjacent to the city limits just off Charles Hunt Street, approximately thirty (30) feet from existing lines. Ingram moved the request be granted. Second by Schmidt.

Voting Yes: Ingram, and Schmidt

Voting No: None

Abstain: Weeks

Mr. Holberg stated that the City has been offered a donation on a tract of property from the Ben Anthony Estate. The tract is 76.4 feet fronting Hendrix Avenue on the East, on the North by "A" Street, on the West by the Southern Pacific Railroad track and on the South by the buildings across from the Post Office. Although of no particular value to the City, Mr. Holberg recommended acceptance of the donation, by fee simple title. Schmidt moved to accept the Manager's recommendation. Second by Ingram.

Voting Yes: Ingram, Schmidt, and Weeks

Voting No: None

Mr. Leo Hearne, Street Superintendent, presented a draft of a proposed driveway permit and explained the driveway installation and specifications. He also presented photographs to help explain why this needs to be adopted as part of the City's policies. After discussion, Schmidt moved the driveway information and specifications be approved and the driveway permit be adopted. Second by Ingram.

Voting Yes: Ingram, Schmidt and Weeks

Voting No: None

A copy of the Drive-way Policy is on file in the office of the City Secretary.

There being no further business, Council adjourned at 7:30 P.M. and went into Executive session to discuss personnel and legal matters.

C. H. Holberg Jr.
Mayor

Geneva S. Ard
City Secretary

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, December 18, 1978 in the Council Chambers at the Diboll City Hall at 5:15 P.M.

Members Present:

C. H. Shepherd Jr.,	Mayor
Charles Schmdit, Fred Weeks Sr., Dr. Russell W. Ingram, Samuel Coleman,	Councilmen
Jeff Holberg,	City Manager
Becky Chapman	Tax Assessor/Collector

Members Absent:

Darwin Smith,	Councilman

Also Present:

John Sloan,	City Attorney

Meeting was called to order by Mayor C. H. Shepherd who gave the invocation.

Ingram moved to dispense with the reading of the minutes of the previous meetings and they be approved as submitted to each alderman in writing. Second by Coleman.

Voting Yes: Schmidt, Weeks, Ingram

Voting No: None

The next order of business was to consider approval of the final plat of the Shannan Forest Addition, Section II. City Manager, Jeff Holberg, recommended the final plat be approved with the following conditions:

1. Completion of paving and acceptance of the paving work by the City of Diboll.

2. Final clean-up and adjustment of utilities with acceptance by the City.

3. Payment of final plat fees.

4. Installation of City approved street name signs or payment to the City for street name signs.

5. Final plat is conditioned upon assumption of responsibility by Sabine Investment for drainage to be constructed at a future date of the Entex pipeline and across Wells Street. This shall include but not be limited to culverts, inlets and storm sewers and ditches.