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Minutes of a Special meeting of the City Council of the City of Diboll, Texas, January 24, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

Dr. R. W. Ingram,	Mayor Pro-Tem
James P. Simms, Sam Coleman, Skip Richardson,	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

C. H. Shepherd, Jr.	Mayor

Also Present:

M. Richard Warner,	City Attorney

The meeting was called to order by Mayor Pro-Tem Ingram.

City Manager Roberts gave the invocation.

Mayor Ingram then stated the Council would go into executive session to discuss a personnel matter.

When meeting was opened Mayor Ingram stated that Council had discussed appointment of a Council member to fill the vacancy created by Charles Schmidt's resignation. Simms moved that Henry Holubec be appointed to fill the vacancy. Second by Coleman.

Voting Yes: Simms, Coleman and Richardson

Voting No: None

There being no further business, Council adjourned at 5:20 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, February 21, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms, Sam Coleman, Dr. R. W. Ingram, Skip Richardson,	Councilmen
Henry Holubec,	Councilman Appointee
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

M. Richard Warner,	City Attorney

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

City Attorney Warner administered the oath of office to Henry Holubec who is appointed to fill the unexpired term of Charles Schmidt.

Simms 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 Ingram.

Voting Yes: Simms, Coleman, Ingram, Richardson and Holubec

Voting No: None

City Manager stated that Diboll has officially been named "Tree City USA" which is a designation of distinction and recognized Mrs. Delores Hodsden, President of the Flower Gardeners, who was instrumental in the City being awarded this honor. Mr. Roberts read a proclamation that was given to Mrs. Hodsden in appreciation of her efforts.

Mr. Lynn Montes representing the firm of Axley and Rode, appeared before the Council to present the audit for the year ending September 1982. Mr. Montes briefly reviewed the contents and reported that the City is in good financial condition. He stated that the City is upgrading its internal control and accounting records each year. After the presentation, Council accepted the audit as presented.

City Manager reported that funds are budgeted in Revenue Sharing for paving in the Old Town of Diboll Addition. He stated that he would like to have authorization to receive bids and that engineer Jerry Clark was present to explain the project and costs estimates. He discussed with the Council the difference in

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in a ditch and curb and gutter. There was concern regarding what the residents of this addition would want, and the need to explain what the City is planning to do. After presentation, Ingram moved that a meeting be set for March 7, 1983 at 5:15 P. M. and that all property owners affected by the paving project be notified so that any desiring to could be at the meeting to offer input. Second by Coleman.

Voting Yes: Simms, Coleman, Ingram, Richardson and Holubec

Voting No: None

City Manager Roberts asked Mr. Clark to present his recommendations on correcting the street and drainage problems on the short end of Rutland. Mr. Clark explained that two plans have been drawn but again the most feasible way to correct the problems may not be suitable to the property owners. After discussion, staff was instructed to contact the property owners in this project area and invite them to the meeting to be held on March 7, 1983 at 5:15 P. M. Council will hear input from this area after the Town of Diboll paving is discussed.

City Manager Roberts reported that Fire Chief Gary Jones is beginning work on a first response program for the Volunteer Fire Department. The concept will be to provide emergency medical service at the scene while awaiting the arrival of an ambulance. Costs involved will include training paramedics or EMT's, equipment, and insurance. Mr. Roberts expressed concern regarding the City's liability exposure. Since Chief Jones was not present at the meeting and several questions are unanswered, Ingram moved the matter be tabled until further information is obtained. Second by Coleman.

Voting Yes: Simms, Coleman, Ingram, Richardson and Holubec

Voting No: None

According to State election laws, a resolution is required to set the date for the municipal election. Simms moved that the the resolution be adopted setting the date as April 2, 1983. Second by Holubec.

Voting Yes: Simms, Coleman, Ingram, Richardson and Holubec

Voting No: None

City Attorney Warner introduced a resolution calling for and setting the date of a public hearing for the annexation of a portion of Ryan Chapel Road. Mr. Warner explained what is involved in posting notices, publications and time frame of the annexation. Simms moved the resolution be adopted setting the date of the public hearing for March 7, 1983 at 5:15 P. M. Second by Richardson.

Voting Yes: Simms, Coleman, Ingram, Richardson and Holubec

Voting No: None

City Manager reported that Planning and Zoning has approved a temporary specific use permit to Air-Rad, Inc., (Diboll Auto Parts). This is for the purpose of

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placing a small travel type trailer on their property for security reasons. Holubec moved to accept the recommendation of the Planning and Zoning Commission and approve a temporary specific use permit for Air-Rad, Inc. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram, Richardson and Holubec

Voting No: None

There being no further business, Council adjourned at 7:05 P. M. and went into executive session to discuss personnel matters.

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 March 7, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

Dr. R. W. Ingram,	Mayor Pro-Tem
James P. Simms, Henry Holubec, Skip Richardson,	Councilmen
Terry K. Roberts,	City Manager
Geneva Ard,	City Secretary

Members Absent:

C. H. Shepherd, Jr.,	Mayor
Sam Coleman,	Councilman

Also Present:

M. Richard Warner,	City Attorney

Mayor Pro-Tem Ingram opened the meeting by declaring a public hearing open to hear citizen input regarding the Old Town of Diboll paving. City engineer, Jerry Clark was present to explain the project and answer questions. He stated the City is proposing open-ditch drainage rather than curb and gutter. Several citizens from the area asked questions and made comments concerning the paving and drainage project. No one was in oposition to the improvements.

City Manager Roberts reported that bids will be considered for award at the regular Council meeting in two weeks.

Mayor Pro-Tem than asked anyone who wished to comment on Rutland Street drainage to speak at this time. Residents of the area who were present told Council they just wanted some type of drainage improvements. City engineer Clark explained the alternate plans worked up since the last regular meeting. After the hearing, Mr. Clark was instructed to have necessary plans and costs estimates ready by the next regular meeting in two weeks so that the Council could consider the most feasible way to correct the drainage on Rutland Street.

Alderman Simms stated that since the last meeting when the discussion of the First Response Program was tabled, he had given additional thought to the project and would like to see it on the agenda for the next regular meeting.

Mayor Pro-Tem declared a public hearing open to hear pros and cons of the annexation of a portion of Ryan Chapel Road. No one present expressed any opinion. The process for the annexation will continue and the subject will be on the agenda at the next regular meeting.

There being no further business, Council adjourned at 6:05 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, March 21, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms, Dr. R. W. Ingram, Skip Richardson,	Councilmen
Terry Roberts,	City Manager
Geneva Ard,	City Secretary

Members Absent:

Henry Holubec, Samuel Coleman,	Councilmen

Also Present:

M. Richard Warner,	City Attorney

The 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 Ingram.

Voting Yes: Simms, Ingram, Richardson

Voting No: None

Fire Chief Gary Jones appeared before the Council to present a proposal for a first responder program in Diboll. Chief Jones explained the benefits of having this program in operation and also reviewed with the Council the cost involved which includes a vehicle completed equipped with first aid and rescue equipment. DETCOG staff members were present to provide information about the emergency medical services and answer questions about the report as prepared by their office which had been made available to Council. Chief Jones stated that he felt outside help is needed for the initial start of this program, then the City would assume the cost of operation. After presentation, Simms moved that Chief Jones be authorized to proceed with the first responder program by attempting to secure funds from other sources. Second by Ingram.

Voting Yes: Simms, Ingram, Richardson

Voting No: None

Mr. Ben Campbell, owner of CATV Systems, Inc., appeared before the Council to present a proposal for a change in the channel line-up which will include the all-sports channel, Atlanta, and a movie channel. Mr. Campbell then reported that CATV Systems is in the process of selling the system to Capitol Cities Communications, the company that owns the cable in Lufkin. Mr. Wayne Neal from the Lufkin System spoke to the

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Council stating that his company will need time to evaluate the Diboll system before any changes in lineup or additions to the existing equipment be made. He stated that the completion of the sale will take thirty to sixty days. After the presentation, Simms moved that staff and legal counsel work out a time for a workshop session so that plans, franchise and financial statements could be reviewed. Second by Ingram.

Voting Yes: Simms, Ingram and Richardson

Voting No; None

Mr. Jerry Clark with Griffith and Associates presented a report on the Rutland Street drainage project. He explained the changes since the last sketch was shown and discussed the survey and easement work that needs to be done. The cost of this project is estimated at $9,120. Richardson moved the City proceed with the Rutland Street drainage project and that funds be appropriated from the contingency fund. Second by Ingram.

Voting Yes: Simms, Ingram and Richardson

Voting No: None

City Manager stated bids for Old Town of Diboll paving were opened on March 16 with the following bids received.

Simon Traylor & Sons	$69,670.00
Moore Brothers	53,906.78
Kenneth Koon	59,202.39

He stated the bids included loading and hauling excess dirt which he would recommend being done by City forces. The low bid from Moore Brothers included $6,000. for this item. Mr. Roberts recommended the bid be awarded to Moore Brothers in the amount of $47,906.78 and that the $6,000. for dirt work be excluded. Richardson moved to accept the Manager's recommendation. Second by Ingram.

Voting Yes: Simms, Ingram and Richardson

Voting No: None

Mr. Jerry Clark with Griffith and Associates presented a report on the progress of the water well test hole program. Mr. Clark stated that the first hole proved unsuccessful. This test hole was #9 and is situated off Harris Street near the Golf Course. He recommended that test hole #10 be designated as an observation well. This well is located about .8 mile east of Well #3. The cost of observing the well for a five day period would be $3,900., over five days will be $150. per day. The Council accepted the report as presented.

City Manager asked for authorization to proceed with bids for a sand pro for the Golf Course. Estimated replacement cost is $3,500. Simms moved the Manager be authorized to receive bids. Second by Richardson.

Voting Yes: Simms, Ingram and Richardson

Voting No: none

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City Manager reported that bids were opened on March 16 for the purchase of a tractor and mower for the Parks Department. The bidders and their bids are as follows:

	Tractor	Mower
W. A. DuBose & Son	$8,785.00	$1,400.
Pineywoods Tractor	8,279.00	1,171.

Mr. Roberts stated that even though Pineywoods Tractor is the lower bid he felt the bid from DuBose more closely met the specifications and recommended they be awarded the bid. Simms moved the Manager's recommendation be accepted and the bid be awarded to DuBose and Son of Lufkin. Second by Ingram.

Voting Yes: Simms, Ingram and Richardson

Voting No: None

City Manager reported that an opinion by the Attorney General has been issued requiring competitive bidding on the City's insurance coverage. He requested authorization to advertise for bids on general liability, property insurance, auto, mobile equipment, public officials liability and law enforcement liability coverage. Richardson moved that bids be received. Second by Simms.

Voting Yes: Simms, Ingram and Richardson

Voting No: None

City Manager reported that at the present time the City has no provisions in its zoning ordinance to regulate mobile homes used as commercial offices. He presented an amendment to the zoning ordinance that has been recommended for approval by the Planning and Zoning Commission. The ordinance will require property owners within 300 feet to be notified and also the mobile home owner will be granted a permit either for a temporary or permanent placement of the mobile home that is used for commercial purposes. The permit will be approved by the Planning and Zoning Commission and then referred to the City Council. Simms moved the amendment be passed and adopted. Second by Richardson.

Voting Yes: Simms, Ingram and Richardson

Voting No: None

City Attorney Warner introduced an ordinance which would regulate the placement of billboards within the City. The main points of the ordinance include requirement of a permit, property owners within 200 feet will be notified and objections will force action by the Planning and Zoning Commission, and signs must be properly maintained. After Mr. Warner's review of the ordinance, Simms moved it be be passed and adopted. Second by Ingram.

Voting Yes: Simms, Ingram and Richardson

Voting No: None

Mr. Roberts presented a request from the East Texas Coon Hunter's Association for use of the Scout Lodge for their monthly meetings. The meetings would not be over until around 2:00 A.M., therefore an amendment to the City ordinance will

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be necessary since the Park now closes at 10:00 A. M. He stated the Parks Board was basically in favor of the monthly meetings but asked that City Council make the decision if an amendment is necessary. After discussion, Ingram moved the ordinance be amended to allow the Parks Board to grant permits for special situations where the park would be used after 10:00 P. M. Second by Simms.

Voting Yes: Simms, Ingram and Richardson

Voting No: None

City Manager reported that Energy Specialist, Inc. of Beaumont would like to do a feasibility study to determine whether it is profitable to produce steam for resale, using garbage as a source of fuel. There is no cost involved to the City but since we use the landfill, we would be a part of the program if approved. Ingram moved the feasibility study for a garbage incinerator in Angelina County be approved. Second by Richardson.

Voting Yes: Simms, Ingram and Richardson

Voting No: None

An ordinance was introduced to annex a portion of Ryan Chapel Road into the City. This will complete the action to extend the City Limits out to Marvin Baker's residence. Simms moved the ordinance be passed and adopted. Second by Ingram.

Voting Yes: Simms, Ingram and Richardson

Voting No: None

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

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, April 4, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms, Henry Holubec, Dr. R. W. Ingram, Sam Coleman, Skip Richardson,	Councilmen
Terry K. Roberts,	City Manager
Geneva Ard,	City Secretary

Members Absent:

None

Also Present:

M. Richard Warner,	City Attorney

The meeting was called to order by Mayor Pro-Tem Ingram.

The results of the City Officials Election held on April 2, 1983 were presented for canvass. The canvass showed the following.

Total Votes	214
For Mayor: C. H. Shepherd, Jr.	136
For Alderman: (2 To Be Elected)	
Darwin "Bo" Smith	90
Sam Coleman	120
Carl Pavlic	107
Ray Paulsey	57
Fred Weeks, Sr.	11

Holubec moved the results be accepted and that C. H. Shepherd, Jr., Sam Coleman and Carl Pavlic be declared elected. Second by Ingram.

There being no further business, Council adjourned at 5:25 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, April 18, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Skip Richardson, Dr. R. W. Ingram, Carl Pavlic, Sam Coleman, James P. Simms,	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

M. Richard Warner,	City Attorney

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

City Attorney Warner then administered the oath of office to newly elected City Aldermen Carl Pavlic and Sam Coleman and Mayor C. H. Shepherd, Jr.

Colemam 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: Richardson, Ingram, Pavlic, Coleman and Simms

Voting No: None

City Manager stated that in reviewing the Code of Ordinances which are now being published for a new code book that it was discovered that a Mayor Pro-Tem should be elected each year after the April Election. He stated that this does not prevent the same person from being reelected but that state law calls for an election of a Mayor Pro-Tem each year. Coleman moved that James Simms be elected Mayor Pro-Tem. Second by Ingram.

Voting Yes: Richardson, Ingram, Pavlic, Coleman and Simms

Voting No: None

Mayor Shepherd reported that the terms of Ted Miller, Gary Hurley and Henry Holubec on the Planning and Zoning Commission will expire in May. Gary Hurley and Henry Holubec have both declined to serve again, leaving two vacancies. Mayor Shepherd recommended that alternates Jim'e Johnson and Travis Groom be moved to the regular commission and that two alternates be appointed at a later time. He also will reappoint Ted Miller. Simms moved to accept the Mayor's recommendation. Second by Ingram.

Voting Yes: Richardson, Ingram, Pavlic, Coleman and Simms

Voting No: None

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Mayor Shepherd reported that the terms of Willie Massey and Jim Dunlap on the Housing Authority Board are expiring this month. Both have agreed to serve again and he would recommend reappointment. Richardson moved to accept the Mayor's recommendation. Second by Pavlic.

Voting Yes: Richardson, Ingram, Pavlic, Coleman and Simms

Voting No: None

City Manager reported that he and Mr. Henry Holubec as directed by the Council at last meeting had met and worked on details of establishing a municipal cemetary. He stated the Council needs to decide if the City should make a formal commitment at this time subject to funding consideration from outside sources. Ingram moved that a municipal cemetary be established by regular state statutes subject to obtaining the land and funds for maintenance from outside sources. Second by Pavlic.

Voting Yes: Richardson, Ingram, Pavlic, Coleman and Simms

Voting No: None

Mr. Henry Holubec appeared before the Council to explain the details involved in establishing a municipal cemetary. He gave estimates on how much land will be needed, where it is situated; landscaping, maintenance and record keeping were also discussed. He stated a committee needs to be appointed to implement the program and the City Manager should be authorized to secure information to present a request for funding from Temple-Eastex. After considerable discussion, Ingram moved the City Manager be authorized to present information requesting funding. Second by Coleman.

Voting Yes: Richardson, Ingram, Pavlic, Coleman and Simms

Voting No: None

A committee for the cemetary will be appointed at a later time.

An ordinance adopting a Municipal Maintenance Agreement with the State Highway Department was presented for consideration. The agreement sets out the responsibilities and obligation of the City and State regarding highway maintenance within the City. Simms moved the ordinance be passed and adopted. Second by Coleman.

Voting Yes: Richardson, Ingram, Pavlic, Coleman and Simms

Voting No: None

City Manager stated that bids have been received on the City's insurance coverage. The coverage includes liability, auto, fire and extended coverage, public officials and EMS liability. Only two bids were received on the complete coverages. The City's present carrier Bartlett, Baggett and Shands' bid is $1,568.06 over the bid from Deep East Texas Insurance Fund. Mr. Frank Strother with Deep East Texas Insurance Fund was present to answer any questions. Council discussed with Mr. Strother the pros and cons of umbrella coverage (for large losses or settlements.) Mr. Roberts stated that in view of the coverage being the same, even

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though the City has received excellent service from Bartlett, Baggett and Shands, he would recommend the bid be awarded to Deep East Texas Insurance Fund. Simms moved to accept the manager's recommendation and that umbrella coverage be excluded. Second by Coleman.

Voting Yes: Richardson, Ingram, Pavlic, Coleman and Simms

Voting No: None

The total bid from Bartlett Baggett and Shands is $21,297.20; the bid from Deep East Texas Insurance Fund is $19,729.14.

City Manager reported that bids have been received on the purchase of a sand pro for the Golf Course. Dewey Wolf was present to explain why this piece of equipment is needed and its function on the course. The bidders and their bids are:

Goldthwaite's	$5,100.
Watson	$3,978.

Simms moved the bid be awarded to the low bidder, Watson Distributors in the amount of $3,978. Second by Richardson.

Voting Yes: Richardson, Ingram, Pavlic, Coleman and Simms

Voting No: None

There being no further business, Council adjourned at 6:20 P. M. and went into executive session to discuss personnel matters.

C H. Stephens 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, May 16, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms,	Mayor Pro-Tem
Skip Richardson,	
Carl Pavlic,	
Dr. R. W. Ingram,	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

Samuel Coleman,	(came into the meeting at Item 7)

Also Present:

M. Richard Warner,	City Attorney

The meeting was called to order by Mayor Shepherd.

The invocation was given by Manager Roberts.

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

Voting Yes: Simms, Richardson, Pavlic and Ingram

Voting No: None

Mrs. Billie Ray Rice, 500 Burke Street appeared before the Council with complaints concerning the vehicle and parts storage on Rains' Conoco lot and trucks using Burke Street to get to Bourrous Trucking. Mrs. Rice explained that wrecked vehicles and vehicles being worked on by Jerry Rains at the Conoco Station were not only unsightly but also dangerous in that they were not secured to keep them from rolling or falling. She stated that the stop sign at the corner of Farrington and Burke has been obscured and also knocked down by vehicles being taken to the Conoco Station.

Mr. Warner, City Attorney, explained the solution to this problem and how it could be handled to comply with the State law. He stated that this area is not zoned for a wrecking yard, but this business was already there when the zoning was passed. However, the law does state that a business with this type vehicles must be fenced or screened from the public with shrubery. The City's ordinance is not well defined in this area and an amemdment may be needed.

City Manager Roberts recommended that an amemdment be drafted and referred to the Planning and Zoning Commission for permitted use for wreckingyards, then be sent back to the Council for a final vote. The screening by fence or shrubs would apply to all businesses of this nature, not just to the Conoco Station. Mr. Jerry Rains, operator of the Conoco Station was present and assured the

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Council that he has already begun a cleanup operation. Simms moved to accept the Manager's recommendation and draft an amendment to the Zoning Ordinance. Second by Ingram.

Voting Yes: Simms, Richardson, Pavlic and Ingram

Voting No: None

City Manager Roberts reported that with reference to the problem of Bourrous trucks traveling Burke Street that other residential streets were also having problems with large trucks parking on them. He stated that the City's present ordinance allows "no trucks allowed" signs to be erected when a problem arises, but that he felt trucks should not be allowed on any residential street. He stated that these streets are not constructed to withstand the weight of loaded trucks and whether loaded or not, are not as safe in residential areas because of narrow streets, children and the density of population. He reminded Council that the entire Old Town of Diboll Addition is about to be paved at this time and that at least two log trucks park in this neighborhood each evening. There were pros and cons concerning banning all large trucks from residential streets. After considerable discussion, Simms moved that no truck traffic be allowed on a residential street unless conducting business, (delivery truck, moving van, etc.). Second by Richardson.

Voting Yes: Simms, Richardson, Pavlic and Ingram

Voting No: None

City Manager reported that Don Menefield, 604½ Ash, has applied for a temporary permit for a mobile home at that location. The mobile home has been there for several years, however it is located on a lot with another house on it. Since the Zoning Ordinance states that a mobile home is only allowed in a residential area if a hardship exists, a permit must be granted. Originally the mobile home was allowed here because of a hardship, a family member attending college, which no longer exists. The Planning and Zoning Commission has recommended the request be denied and that six months be given to have the mobile home moved from the property. Richardson moved to accept the recommendation of the Planning and Zoning Commission. Second by Ingram.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: Simms

Mr. Wayne Neal with Cablecom in Lufkin and Mr. Bud Hull with CATV Systems, Inc. were present to review with the Council the existing and proposed lineup of the television cable in Diboll. Information with details was given to each member of the Council. Mr. Neal explained that Mr. James with Capital Cities Communications will be in town on May 26 and May 27 and felt this would be a good time for a workshop to discuss the details of programming, construction, and wording changes in the franchise. After discussion concerning the transfer of the cable franchise, Pavlic moved that a workshop be set for May 26, at 5:15 P. M. and staff with legal counsel meet on Friday, May 27, 1983 to iron out details. Second by Ingram.

Voting Yes: Simms, Richardson, Pavlic, Ingram and Coleman

Voting No: None

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The Council then went into executive session from 6:40 P. M. until 7:10 P. M. to discuss a personnel matter concerning the change in positions by City Attorney Richard Warner.

When meeting was opened, Mr. Jerry Clark with Griffith and Associates, Inc. appeared before the Council to discuss the development of the test hole made recently into a new water well. He explained that the site is approximately .8 miles east of Well #3 on Harris Street and will yield between 150 to 200 gallons per minute, if fully developed. The cost of development will be in excess of $150,000. The Manager outlined three alternatives that possibly could be used for financing the project. He explained that certificates of obligation could be issued with interest payments over a twelve year period being over $120,000. This year's Revenue Sharing budget has $85,000. allocated for storage facilities at Well #1, which could be delayed; the remainder being taken from existing General Fund balance. The third option would be to apply for a 50% Federal grant, if the City is eligible. After considerable discussion, Ingram moved that cost figures be secured on storage facilities at Well #1 and also figures to show what type of increase will be needed in water and sewer rates if the well is paid for from the Water and Sewer Fund rather than surplus in the General Fund. Second by Coleman.

Voting Yes: Simms, Richardson, Pavlic, Ingram and Coleman

Voting No: None

Manager Roberts stated that he will investigate to see if the City is eligible to apply for a grant to finance water Well #4.

City Manager reported that he is proposing to trade off the sewer plant truck, pass down the Director of Public Works truck to the plant, and seek bids on a new truck for the Directior of Public Works if authorized by Council. Ingram moved that Manager be authorized to proceed and secure bids for a new vehicle. Second by Richardson.

Voting Yes: Simms, Richardson, Pavlic, Ingram and Coleman

Voting No: None

Council adjourned into executive session to discuss personnel and real estate matters at 7:40 P. M.

Mayor Shepherd opened the regular meeting by reporting that no official action was taken regarding the Rutland Street drainage project. He further stated that Council voted to pay in cash, sick leave that had been accumulated under the old personnel policy to employee's who made proper application for it.

There being no further business, Council adjourned at 8:15 P. M. upon motion by Simms.

James P. Shepherd
MAYOR

ATTEST:

Geneva S. Ard
City Secretary

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Minutes of a Special City Council Meeting, Thursday, June 16, 1983 at 5:15 P.M., Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James Simms,	
Carl Pavlic,	
Skip Richardson,	Councilmen
Woody Ingram,	

Also Present:

Terry K. Roberts,	City Manager
Richard Warner,	City Attorney
Lynn Montes,	City Auditor
Becky Chapman,	Secretary

Members Absent:

Samuel Coleman,	Councilmen

The meeting was called to order by Mayor Shepherd. Invocation was given by City Manager Roberts.

City Manager Roberts stated the purpose of the meeting was to consider the Franchise Assumption Agreement between the City and Capital Cities Cable, Inc. After a lengthy discussion and explanations by Wayne Neal of Capital Cities and Lynn Montes of Axley and Rode the following motion was made by Councilman James Simms:

Move that we adopt an ordinance providing for:

Approval of transfer of Cable TV Franchise by CATV Systems, Inc. to Capital Cities Cable, Inc.

Providing for modification of franchise per Franchise Assumption Agreement submitted and incorporated into Ordinance.

Providing for effective date of Ordinance to be date of transfer of Cable System and Franchise Agreement.

Motion seconded by Carl Pavlic.

Voting Yes: Simms, Pavlic, Ingram

Voting No: Richardson

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Meeting adjourned at 6:15 P.M. on motion by Councilman Simms, second by Pavlic.

Mayor

ATTEST:

Becky Chapman, Secretary

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, June 27, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

James P. Simms,	Mayor Pro-Tem
Carl Pavlic, Skip Richardson, Sam Coleman, Dr. R. W. Ingram	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

C. H. Shepherd, Jr.,	Mayor

Also Present:

M. Richard Warner,	City Attorney

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

The invocation was given by Terry Roberts.

Richardson 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: Pavlic, Richardson, Coleman and Ingram

Voting No: None

City Manager reported that in reviewing the Code of Ordinances for an update, it was discovered that a section of the municipal court ordinance is not being followed. It states that the judge is appointed and his term shall coincide with that of the Mayor. Since this was not done after the April election, Mr. Roberts recommended that Council make the appointment at this time to be for the remainder of Mayor Shepherd's term. Ingram moved that Sherod Powell be appointed City Judge and J. B. McConnico, Associate Judge. Second by Coleman.

Voting Yes: Pavlic, Richardson, Coleman and Ingram

Voting No: None

An application for a temporary mobile home permit on Mockingbird Lane was presented for consideration. The applicant is Elzine Strong. The permit would be a renewal since it was approved several months ago, although the home has not been placed on the property. The request has been approved by the Planning and Zoning Commission. Richardson moved the permit be granted for another six months and be presented for renewal again at that time and that the renewal fee be paid each time. Second by Ingram.

Voting Yes: Pavlic, Richardson, Coleman and Ingram

Voting No: None

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City Manager reported that Mr. Jerry Clark was present to discuss engineering report and the cost of a water well and cost figures on erecting a new water storage facility. The cost of both projects is estimated at $400,000. Mr. Clark explained each part of the report and then asked Council for questions. After the presentation, Mr. Roberts stated that a site for storage facilities has not been secured at the present time. After considerable discussion, Council agreed to take no official action until a storage facility site is developed.

Mr. Roberts stated that he had felt it would be a good idea for the City to submit an application for an EDA grant. However, since placing the item on the agenda, he found that the application would be due on July 1 which would make it impossible to have sufficient time to complete. He recommended that the application for a public facility improvement grant not be submitted at this time. Council accepted this recommendation.

City Manager then reported that Golf Course Manager, Dewey Wolf, had worked with him on a grant application to Texas Department of Community Affairs for landscaping of public lands. This is available through the "Jobs Bill" to help the unemployed. It would be a 100% grant for landscaping the Police and Fire Station, Scout Lodge, improvements in the Golf Course as well as replanting pecan trees in Old Orchard Park. He stated a resolution needs to be approved for submission of the grant. Richardson moved the resolution be adopted and the application be submitted to the Texas Department of Community Affairs. Second by Ingram.

Voting Yes: Pavlic, Richardson, Coleman and Ingram

Voting No: None

Manager reported that bids have been received on the purchase of a pickup truck for the Director of Public Works. The bidders and their bids are a follows:

Angelina Chevrolet	$8,700.00
Greater Lufkin Ford	8,285.98

Mr. Roberts recommended that bid be awarded to Greater Lufkin Ford in the amount of $8,285.98. Richardson moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Pavlic, Richardson, Coleman and Ingram

Voting No: None

The Manager reported that bids were received on 8,400 linear feet of six inch water pipe. The pipe will be used for an extension on Lawrence and Holubec Streets and for a transmission main from the new water well site #4 into our existing distribution system. The bidders and their bids are as follows:

Big State Utility	$24,948.00
Utility Supply	24,440.00
AGSCO, Inc.	23,950.00
Johnson Supply Co.	22,176.00

Coleman moved to accept the bid from Johnson Supply Company which would be

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the low bid of $2.64 per foot. Second by Ingram.

Voting Yes: Pavlic, Richardson, Coleman and Ingram

Voting No: None

The total price of $22,176.00 will be paid from Revenue Sharing Funds.

The Manager reported that funds have been budgeted in Revenue Sharing for the extension of water service on Lawrence and Holubec so these residents will have fire protection. The cost of pipe is included in the previous item. The bid will be for the installation of the pipe and appropriate fire hydrants. Richardson moved that authorization be given for proceding with this project. Second by Coleman.

Voting Yes: Pavlic, Richardson, Coleman and Ingram

Voting No: None

City Manager Roberts stated that the City has a Weedy Lot Ordinance however, direction needs to be made for enforcement. The ordinance provides that a property owner be notified by letter that he has ten days to take care of their weedy lots. If that is not done, the City is allowed to take care of the problem and attach a lien to the property. However, the City is not adequately staffed to handle the work load. There was considerable discussion concerning the different solutions including the cost per hour that should be charged for cleanup and rotating the work among private individuals. After discussion, Ingram moved the Attorney draft an amendment to the present ordinance and bring it back to the Council for consideration. Second by Coleman.

Voting Yes: Pavlic, Richardson, Coleman and Ingram

Voting No: None

There being no further business, Council adjourned at 6:50 P. M. upon motion by Ingram and second by Richardson.

C. H. Shepherd Jr.
Mayor

ATTEST:

Geneva S. Ard
City Secretary

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Minutes of a regular Council meeting of the City Council of the City of Diboll, Texas, July 18, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Sam Coleman, James P. Simms, Dr. R. W. Ingram, Carl Pavlic, Skip Richardson,	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

The meeting was called to order by Mayor Shepherd.

The invocation was given by City Manager Roberts.

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: Coleman, Simms, Ingram, Pavlic and Richardson

Voting No: None

City Manager reported that the two alternates on the Planning and Zoning Commission, Jim'e Johnson and Travis Groom, are now serving on the regular Board which results in a vacancy for two alternates. Mayor Shepherd reported that he would like to appoint Tom Kelley and Otis Lewis as alternates to the Planning and Zoning Commission. Simms moved to accept the Mayor's appointments. Second by Pavlic.

Voting Yes: Coleman, Simms, Ingram, Pavlic and Richardson

Voting No: None

Mayor Shepherd stated that he would recommend the reappointment of Nan Miller, Milford Ruby and Bill Fulmer to the Parks and Recreation Board since their terms are expiring. Simms moved to accept the Mayor's recommendation. Second by Ingram.

Voting Yes: Coleman, Simms, Ingram, Pavlic and Richardson

Voting No: None

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Mayor Shepherd stated that the terms of Joe Gage, Bennie Scott and Jim Ligon, on the Board of Adjustments and Appeals are expiring this month. He stated that all are willing to serve again. Simms moved these three be reappointed to the Board of Adjustments and Appeals. Second by Coleman.

Voting Yes: Coleman, Simms, Ingram, Pavlic and Richardson

Voting No: None

Mr. Jerry Clark of Everett Griffith and Associates appeared before the Council to discuss the water improvement projects. He pointed out on a map a possible new site for storage facilities which would be located on W. T. Carter land. City Manager reported that W. T. Carter Company had seemed receptive on the telephone but wanted to see a map of the location which is between Well #1 and Mockingbird Street. He further stated that the proposed water well and water tank projects will cost approximately $450,000. Simms moved that these projects be officially authorized so that staff and the engineer could proceed with Plan A as presented in the engineer's report. Second by Coleman.

Voting Yes: Coleman, Simms, Ingram, Pavlic and Richardson

Voting No: None

City Attorney Jimmy Cassels introduced an amendment to the Weedy Lots Ordinance based on information discussed at the last regular meeting. The amendment provides that owners, lessees or occupants failing to comply with the ordinance will be notified in writing. If the person responsible does not cut weeds, grass, or remove objectionable objects, the City is authorized to do so at a minimum charge of $50. The ordinance also provides for a penalty clause. Mr. Cassels then explained the independent contractors agreement should the City need to employ outside contractors for mowing and cleaning. Richardson moved the amendment and contractors agreement be approved with minor changes. Second by Simms.

Voting Yes: Coleman, Simms, Ingram, Pavlic and Richardson

Voting No: None

There being no further business, Council adjourned at 6:20 P. M. upon motion by Ingram and second by Richardson.

James P. Lemon
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, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

James P. Simms,	Mayor Pro-Tem
Sam Coleman, Dr. R. W. Ingram, Carl Pavlic,	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

C. H. Shepherd, Jr.,	Mayor
Skip Richardson,	Councilmen

Also Present:

Jimmy Cassels,	City Attorney

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

The invocation was given by Terry Roberts.

Coleman 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 Ingram.

Voting Yes: Coleman, Ingram and Pavlic

Voting No: None

City Manager reported that an application for a zone change from Levy Ellison has been approved by the Planning and Zoning Commission and recommendation is made for Council approval. The property is located on Booker Street and would be rezoned from SF-1 to M which would allow Mr. Ellison to build apartments on the site. Councilman Ingram stated he would abstain from voting in this issue. Therefore, no quorum was present for the vote. However, pros and cons of the application were discussed. Property owner Delbert Youngblood was present to object to the zone change. There was also a petition containing four names which objected to the change. Mr. Ellison explained his plans for the property and presented a set of preliminary plans. After much discussion, Coleman moved that more information be presented by Mr. Ellison and that it be placed on the agenda for the first budget workshop. Second by Pavlic.

Voting Yes: Coleman, Ingram and Pavlic

Voting No: None

The Manager reported that bids had been received on August 10, 1983 for the Holubec/Lawrence Street utility project. The bidders and their bids are as

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follows:

Oscar Crawford Construction	$ 9,924.00
Massingill Plumbing	19,034.00
Massingill Plumbing (without road bore)	15,034.00
Cobb Plumbing	16,000.00
Cobb Plumbing (without road bore)	14,400.00

Bids for materials are as follows:

Big State Utility	$ 5,548.05
Rohan Supply	5,329.15
Utility Supply	4,667.14

Mr. Roberts stated both low bids were within the budget and recommended awarding bids to Oscar Crawford Construction and Utility Supply. Pavlic moved to accept the Manager's recommendation.

Voting Yes: Coleman, Ingram and Pavlic

Voting No: None

City Manager stated that Greater Lufkin Ford is unable to furnish the City with a pickup for the Public Works Department even though the bid has been awarded for several weeks. He stated the next low bid was from Angelina-Chevrolet, however during the time elapsed, the truck available had been sold. He recommended purchasing one from Clifton-Duke Chevrolet in Corrigan. City Attorney Cassels advised the Council that since Clifton-Duke had not bid originally, and his price is lower, that bids will need to be taken again. Ingram moved the City readvertise on the purchase of a vehicle for the Public Works Department. Second by Coleman.

Voting Yes: Coleman, Ingram and Pavlic

Voting No: None

City Manager recommended the dates of August 25 and August 30 at 5:15 for workshops for the 1983-84 fiscal budget. The dates were accepted by common consent. The Ellison zone change will be included as an agenda item on August 25.

A resolution was introduced to approve and authorize publication of notice of intent to issue $350,000. in certificates of obligation for the proposed water well and improvements. Pavlic moved the resolution be adopted. Second by Coleman.

Voting Yes: Coleman, Ingram and Pavlic

Voting No: None

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

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, August 25, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr., Mayor

James P. Simms,
Carl Pavlic, Councilmen
Dr. R. W. Ingram,

Terry K. Roberts, City Manager

Members Absent:

Sam Coleman,
Skip Richardson, Councilmen

The meeting was called to order by Mayor Shepherd.

Council considered a zone change request from Levy Ellison for property located on Booker Street. The request had been tabled at the last regular meeting pending more information. At least 20% of the property owners objected to the zone change. Pavlic moved that the zone change request from SF-1 to M be denied. Second by Simms.

Voting Yes: Simms and Pavlic

Voting No: None

Abstain: Ingram

Council adjourned at 5:30 P. M. and went into budget workshop for the 1983-84 fiscal year budget.

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, August 30, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

James P. Simms,	Mayor Pro-Tem
Carl Pavlic, Sam Coleman, Skip Richardson,	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

C. H. Shepherd, Jr.,	Mayor
Dr. R. W. Ingram,	Councilman

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

The invocation was given by Terry K. Roberts, City Manager.

A request for a specific use permit from Emma Ivy was presented to the Council. Manager Roberts explained the property is located off Highway 59 behind the Briskett House in a B-1 zone. Mrs. Ivy desires to build a home there. The request has been approved by the Planning and Zoning Commission. After brief discussion, Pavlic moved to approve the specific use permit. Second by Coleman.

Voting Yes: Pavlic, Coleman, Richardson

Voting No: None

City Manager reported that bids have been received on the purchase of a vehicle for the Public Works Department and for the sale of 1978 Ford that is being replaced. The bidders and their bids are as follows:

Allison Chevrolet	$9,036.73
Angelina Chevrolet	9,290.00
Smith-Mann Motors	8,694.87
Clifton-Duke Chevrolet	9,178.00
Greater Lufkin Ford	9,365.00

For the sale of the 1978 3/4 ton pickup:

Bennie Ford	626.00
Bob Strange	687.50
Gary Jones	812.95

Coleman moved to award the bid on one 1984 pickup to Smith-Mann Motors in the amount of $8,694.87 for a GMC and the best bid on sale of the 1978 pickup to Gary Jones in the amount of $812.95. Second by Richardson.

Voting Yes: Pavlic, Coleman and Richardson

Voting No: None

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There being no further business, Council adjourned at 5:35 P. M. and went into a budget workshop for the 1983-84 fiscal year.

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, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms,	Mayor Pro-Tem
Sam Coleman,	
Dr. R. W. Ingram,	
Skip Richardson,	Councilmen
Carl Pavlic,	
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

Jimmy Cassels,	City Attorney

The meeting was called to order by Mayor Shepherd.

The invocation was given by Manager Terry Roberts.

Simms 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 Coleman.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

Mr. Bob Day, Financial Advisor for the City appeared before the Council to report the status of work concerning the issuance of $350,000 in certificates of obligation for a water well and storage facilities. Mr. Day stated that the City has received a bond rating of Baa-1 which he considers a good rating. An ordinance as then introduced authorizing the issuance of the certificates of obligation. Mr. Day explained the pay back of principal and interest with Diboll State Bank serving as paying agent. Coleman moved the ordinance be adopted. Second by Ingram.

Voting Yes: Coleman, Ingram, Richardson and Pavlic

Voting No: None

Abstain: Simms

An ordinance was introduced setting the tax rate for 1983-84 at $.24 (twenty-four cents) per hundred dollars market value. Simms moved the ordinance be adopted. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

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City Manager reported that the 1983-84 fiscal year budget reflects an 18% increase in water rates to finance the water well and improvements. Several citizens present in the meeting objected to any rate increases. Each cited reasons why the rates should not be rasied at this time. After considerable discussion, Richardson moved the proposed rate schedule for water service be approved and the ordinance amended. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

An ordinance amending the sewer charges was introduced for consideration. After reviewing the increases, Richardson moved the amendment be passed and approved. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

Manager Roberts stated that the present penalty for not paying a utility bill by the tenth of the month is $.50. He stated that the City would be in line to charge a 5% penalty. After brief discussion, Richardson moved the penalty be left at $.50. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

Manager Roberts stated that Council minutes reflected the approval of increasing the reconnect charge for non-payment of a bill from $10.00 to $15.00. However, the ordinance has not been amended to reflect this. Pavlic moved the necessary amendment be made to the ordinance. Second by Coleman.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

An ordinance amending the garbage fees was introduced for consideration. The proposed rate schedule was read. Simms moved that the ordinance be passed and approved. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

Copies of all amendments to increase rates are on file in the office of the City Secretary.

Mayor Shepherd declared a public hearing open to hear comments from the citizens regarding the budget for the 1983-84 fiscal year. There was no opposition to the budget. Manager Roberts stated that one change had been made since the last Council workshop in that the addition of an air purification system for the Fire Department is included in the revenue sharing budget. Highlights of the revenue

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and expenditures in the budget were given. Simms moved the budget for the 1983-84 fiscal year be adopted in the amount of $1,300,079 General Fund, $410,318 W & S and Revenue Sharing in the amount of $138,685. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

Mr. Jerry Clark with Griffith and Associates appeared before the Council to report on the status of the flouridation grant. He stated bids were received separately on the equipment and installation. The only bid received on the equipment is in the amount of $5,354.00 from Ferguson Service Systems, Inc. and the only bid on installation is in the amount of $6,705.00 from Oscar Crawford Construction. Mr. Clark stated he felt both are good bids and recommended that they be accepted. Simms moved to accept the recommendation of the engineer. Second by Pavlic.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

City Manager reported that the City is eligible to have one representative from the City Council to serve on the Deep East Texas Council of Governments' Board of Directors. The representative now is Mayor Shepherd who does not wish to serve another term. Simms moved that Carl Pavlic be appointed. Second by Ingram.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

City Manager reported that Dick Donovan who is the representative for the City and the School District on the Central Appraisal Board does not wish to continue serving. He stated the name of Pop Rich who previously was employed as Tax Assessor for the school, has been presented. Simms moved that Pop Rich be appointed as the member to the Central Appraisal District Board. Second by Pavlic.

Voting Yes: Simms, Coleman, Ingram, Richardson and Pavlic

Voting No: None

Council then adjourned and went into executive session to discuss a personnel matter at 6:45 P. M.

C H. Shepherd
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, October 17, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms, Sam Coleman, Carl Pavlic, Dr. R. W. Ingram, Skip Richardson,	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

Jimmy Cassels,	City Attorney

The meeting was opened by Mayor Shepherd.

The invocation was given by Manager Terry Roberts.

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, Pavlic, Ingram and Richardson

Voting No: None

Manager Roberts stated that the revision of the Code of Ordinances has been completed as presented to each Alderman in bound copy. He stated the staff, City Attorney and the Attorney for Municipal Code Corporation have reviewed in detail the updated ordinances. Mr. Roberts recommended the passage of an ordinance to adopt the Code. Ingram moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Simms, Coleman, Pavlic, Ingram and Richardson

Voting No: None

City Manager reported that staff has been developing cost figures on replacement of a sewer main between the homes on Dennis and Mulberry. He stated money has been budgeted but since the project will cost $10,000. to $15,000. he needed authorization from Council. Director of Public Works, M. D. Scarborough explained the situation and also that a company could bring T.V. equipment to spot problems in the main for $1,000. There was considerable discussion since one citizen this problem is affecting, Gary M. Smith, was present. Consensus of the Council was that staff study all possibilities and bring recommendation back to the Council at a later meeting.

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City Manager reported that bids have been received on the construction of a multi-purpose court at Walter Allen Park. He stated Alderman Richardson has been working closely with the project and asked for a report from him which was given. Although the City is not responsible for the construction, $10,000. has been committed from Revenue Sharing Funds which should be formally authorized at this time. Ingram moved the City contribute $10,000. to the project to have available when needed. Second by Pavlic.

Voting Yes: Simms, Coleman, Pavlic, Ingram and Richardson

Voting No: None

There being no further business, Council adjourned at 5:50 P. M. and went into Executive Session to discuss personnel matters.

_____
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, October 31, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr,	Mayor
Sam Coleman, James P. Simms, Carl Pavlic, Skip Richardson,	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

Jimmy Cassels,	City Attorney

The meeting was called to order by Mayor Shepherd.

The invocation was given by Terry Roberts.

City Manager reported that the 1983-84 budget includes two replacement vehicles for the Police Department. He asked that authorization for receiving bids be given to avoid the end of year rush. Simms moved bids be received for the replacement of two Police Department vehicles. Second by Pavlic.

Voting Yes: Coleman, Simms, Pavlic and Richardson

Voting No: None

Mr. Roberts gave a report regarding the status of the proposed Municipal Cemetary. He stated the funding will be through a grant from the T. L. L. Temple Foundation. A resolution from the City to assure land has been obtained and dedicated and that an endowment fund for the maintenance and upkeep will be established is necessary. Since a deed has not been received for the land, no official action will be taken until the next regular meeting.

Appointments to a Cemetary Advisory Board was discussed. Mayor Shepherd is working to secure members to the Board. At this time Nan Miller, A. J. Delco, John McClain and Mark Shepherd have agreed to serve. Mayor Sheperd asked Alderman Coleman to talk with those he felt would be willing to serve and report back to the Council for final appointment.

Mr. Jerry Clark with Griffith and Associates was present to review the bids received on the proposed water facilities project. He stated the bids for the total project is under budget. The bidders and their bids are as follows:

Oscar Crawford Construction (Line and Control Building)	$ 88,946.
J. L. Myers Company (Water Well)	84,224.
Hydrostorage (Elevated Storage)	198.400.

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Richardson moved to accept the low bids as presented by the Engineer. Second by Coleman.

Voting Yes: Coleman, Simms, Pavlic and Richardson

Voting No: None

Mr. Clark further stated that engineering costs will be approximately $30,000.

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

Mayor Shepherd reported that he, Earl Carr and M. D. Scarborough had attended a meeting in Woodville to hear the status of the Rockland Reservoir Project. He stated it was very interesting meeting and was primarily held to bring the project up to date and promote public interest.

There being no further business, Council adjourned at 6:15 P. M. upon motion by Richardson and second by Coleman.

_____
MAYOR

ATTEST:

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CITY SECRETARY

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas November 21, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

James P. Simms, Mayor Pro-Tem

Carl Pavlic,
Skip Richardson,
Dr. R. W. Ingram, Councilmen

Terry K. Roberts, City Manager
Geneva Ard, City Secretary

Members Absent:

C. H. Shepherd, Jr., Mayor
Sam Coleman, Councilman

Also Present:

Jimmy Cassels, City Attorney

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

The invocation was given by Manager Roberts.

Pavlic 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 Ingram.

Voting Yes: Pavlic, Richardson and Ingram

Voting No: None

A request from Charles Hunt to place a double-wide mobile home on Lot 9, Block 1 of the A. C. Hall Addition was presented for consideration. Mr. Hunt had applied for a specific use permit through the Planning and Zoning Commission which had been denied. Mr. Hunt has acknowledged the denial and asked that should the Council uphold this decision, could he pour a slab and move in a modular home. Richardson moved that the Council accept the recommendation of the Planning and Zoning Commission and deny the request for a specific use permit. Second by Pavlic.

Voting Yes: Pavlic, Richardson

Voting No: None

(Councilmen Ingram was temporarily out of the room.)

Richardson then moved that any type housing other than on site, be referred to the Planning and Zoning Commission for action and that the Commission report back to the Council. Second by Pavlic.

Voting Yes: Pavlic, Richardson

Voting No: None

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A request for a renewal for a specific use permit from Mrs. A. R. McGuire who has a mobile home located on Lot 10, Block 2 of the Lake #2 Addition was presented for consideration. The renewal had been denied by the Planning and Zoning Commission. After brief discussion, Pavlic moved the renewal of the specific use permit be granted. Second by Richardson.

Voting Yes: Richardson, Pavlic and Simms

Voting No: None

An amendment to the Zoning Ordinance to allow mobile homes in B-1 and B-2 business districts by specific use permit was introduced. The present ordinance does not cover this provision. It would cover a situation where a piece of property is zoned business but a mobile home is being used as a residence for security reasons. It would be a six month renewable permit with a hardship requirement for favorable passage in business and residential districts. The Planning and Zoning Commission recommends adoption of the amendment. Pavlic moved to accept the recommendation of the Planning and Zoning Commission. Second by Richardson.

Voting Yes: Richardson, Pavlic and Simms

Voting No: None

A request for a specific use permit to locate a mobile home on a one acre tract on North Hendrix was presented. The applicant is Mrs. Shirley Terrell. This request is for a renewal and has been approved by the Planning and Zoning Commission. Richardson moved the request for renewal be granted. Second by Pavlic.

Voting Yes: Richardson, Pavlic and Simms

Voting No: None

(Dr. Ingram came back into the meeting at this time.)

City Manager Roberts reported that he had received a request from Mr. Darrell Roberts for water service to his property outside the City Limits near the Municipal Golf Course. He stated a small portion of Mr. Roberts property is inside the City Limits, however, there is no access into the property. There was much discussion since Council at an earlier date voted not to extend water outside the City Limits except in extenuating circumstances. After discussion, Ingram moved the request be denied until further investigation. Second by Richardson.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

Mr. Lewis Wilkerson appeared before the Council to request sewer service to his property located on Farm Road 1818 outside the City Limits. He stated he would need an easement from Sabine Investment since his property is adjacent to Shannon Forest. After much discussion, Ingram moved the matter be tabled until Mr. Wilkerson had a firm commitment on an easement from Sabine Investment.

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Second by Richardson.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

A draft of a proposed ordinance for environmental nuisances was presented for review. The primary reason for the ordinance is because of a complaint from the manager of the local Sonic Drive-In concerning dust blowing onto his property from G. P. Bourrous Trucking. Mr. Roberts explained that the City does not have any regulations covering this problem and also others that are listed in the ordinance. The Council heard from both the Sonic manager and Mr. Bourrous. After considerable discussion, Richardson moved no action be taken until the ordinance could be thoroughly studied. Second by Ingram.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

Manager Roberts reported that Mr. Henry Ligon had requested to appear before the Council regarding the City's peddler's permit. Mr. Ligon feels he should not have to pay the full $5.00 daily fee for selling only about two hours at a time. He also feels he is being singled out since others sell without permits. The manager explained that any violation of the peddler's ordinance should be reported and the Police Department will investigate the situation and each vendor will have to comply. After Mr. Ligon's presentation, Mayor Pro-Tem Simms suggested that any peddler be allowed to pay the $100. per year fee in two payments, semi-annually. However, this would not mean a six month permit for $50., but rather to make payment easier for the yearly fee. After reviewing the peddler's ordinance, Richardson moved the $100. per year payment be allowed to be paid in two installments. Second by Pavlic.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

No amendment to the peddler's ordinance will be necessary.

A resolution approving the City's operation of a municipal cemetary was introduced. Pavlic moved the resolution be passed and adopted. Second by Richardson.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

Appointments to the Cemetary Board were presented for formal approval. Those include Nan Miller, John McClain, Albert Delco, Mark Shepherd and Mrs. Fannie Washington. Ingram moved these appointments be accepted. Second by Pavlic.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

Richardson moved staff be given authorization to receive bids on (A) garbage bags, yearly supply that is distributed in April and October. (B) memory

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typewriter. (C) greensmower for the Golf Course. Second by Ingram.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

In other business, Manager Roberts brought Council up to date on the situation with Mr. Spencer Knutson regarding the Weedy Lot Ordinance. At this time Mr. Knutson has not complied with the ordinance in ridding his property of unsightly grass and weeds.

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

Mayor Pro-Tem

ATTEST:

City Secretary

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, December 12, 1983 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

James P. Simms,	Mayor Pro-Tem
Skip Richardson,	
Carl Pavlic,	
Dr. R. W. Ingram,	City Councilmen
Terry K. Roberts,	City Manager
Geneva Ard,	City Secretary

Members Absent:

C. H. Shepherd, Jr.,	Mayor
Sam Coleman,	

Also Present:

Paul Clarke

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

The invocation was given by Terry Roberts.

Richardson 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: Richardson, Pavlic and Ingram

Voting No: None

City Manager Roberts reported that the request for water outside the City Limits from Darrel Roberts is brought back at this meeting at the request of Council. He stated that all aspects of the request have been investigated and that the City office staff had handled the inquiry concerning this water extension properly in that Mrs. Roberts was not told water would be extended. The property in question located adjacent to the City's golf course is a three acre tract with no access road. Mr. and Mrs. Darrel Roberts stated the tract was purchased after talking with someone at City Hall who gave them the impression water could be extended. Tom Ainsworth, father of Mrs. Roberts, explained the situation and asked Council to reconsider. At this point it was stated that since Darrel Roberts is a volunteer fireman for the City, Council should go into executive session to discuss the request. Session was closed from 5:45 until 6:15 P. M. When the session was opened Richardson moved that water service be extended to the property purchased by Darrel because of extenuating circumstances and that such service be for one single family residence only. Second by Pavlic.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

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Manager Roberts stated that one bid had been received for the purchase of an electronic typewriter with expandable memory. The bid is from Story-Wright for a Hermes brand at a cost of $3,095. Richardson moved to accept this bid. Second by Ingram.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

Bids for the purchase of two (2) replacement police vehicles were received on December 1, 1983. The bidders and their bids are as follows:

Greater Lufkin Ford	$19,785.06
Bullock Motors	19,789.60

City Manager recommended awarding the bid to Greater Lufkin Ford including trade-ins of one 1976 Impala Chevrolet for $500. and one 1981 Plymouth for $600. Pavlic moved to accept the Manager's recommendation and bid be awarded in the amount of $19,785.06. Second by Richardson.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

An ordinance concerning environmental nuisances presented at last meeting was again introduced for consideration. The ordinance addresses nuisances of public and private premises such as littering, unsanitary conditions and setting a penalty for violations. Pavlic moved the ordinance be passed and adopted. Second by Richardson.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

A resolution to accept a grant for an addition to the T. L. L. Temple Memorial Library was presented so the City may receive the grant as the sponsor agency. Ingram moved the resolution be passed and adopted. Second by Pavlic.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

A resolution approving application for grant funding of the Organized Crime Task Force for the Deep East Texas Region was presented for Council consideration. Chief Danny Ray explained how the grant would work and his role in the disbursement of funds. Ingram moved the resolution be passed and adopted. Second by Pavlic.

Voting Yes: Richardson, Pavlic and Ingram

Voting No: None

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

C. A. 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, January 3, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms, Dr. R. W. Ingram, Skip Richardson, Sam Coleman, Carl Pavlic,	Councilmen
Terry K. Roberts,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

Jimmy Cassels,	City Attorney

The meeting was opened by Mayor C. H. Shepherd who asked Manager Roberts to give the invocation.

Mayor Shepherd stated the purpose of the meeting was to consider the resignation of City Manager Roberts and appointment of an interim manager.

Pavlic moved to accept the resignation of City Manager Terry Roberts who has accepted position of City Manager in Yoakum. Second by Richardson.

Voting Yes: Simms, Ingram, Richardson, Coleman and Pavlic

Voting No: None

Council then went into executive session to discuss personnel matters. Mayor opened the session and reported that appointment of an interim manager was discussed. Ingram moved that M. D. Scarborough, Director of Public Works, be appointed to this position until a permanent manager is employed. Second by Coleman.

Voting Yes: Simms, Ingram, Richardson, Coleman and Pavlic

Voting No: None

Simms then moved the salary of the interim manager be set at $27,500. per year for the duration of the interim which should be two to three months. Second by Richardson.

Voting Yes: Simms, Ingram, Richardson, Coleman and Pavlic

Voting No: None

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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, January 16, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James Simms,	Mayor Pro-Tem
Dr. R. W. Ingram, Sam Coleman, Skip Richardson, Carl Pavlic,	Councilmen

Members Absent:

None

Also Present:

Jimmy Cassels,	City Attorney

Meeting was opened by Mayor Shepherd who asked Terry Roberts to give 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, Ingram, Coleman, Richardson and Pavlic

Voting No: None

Mr. Rayford Williams manager of Entex appeared before the Council to explain a proposed rate increase for natural gas by his company. Mr. Williams stated that the last increase was in 1970. The base rate of a bill will be affected by a 4.8% rate increase. After presentation Simms moved the City grant the increase and adopt an ordinance to approve it. Second by Ingram.

Voting Yes: Simms, Ingram, Coleman, Richardson and Pavlic

Voting No: None

Mr. Wayne Neal, manager of Cablecom, appeared before the Council to give a status report on the television cable rebuild in Diboll. He stated that work has progressed very satisfactorily. The entire area has been completely mapped with maps already sent to the construction department and the engineers. The rebuild should be completed by July 1, 1984, a few months ahead of schedule.

City Manager reported that a request for water outside the city limits has been received from Diboll Freight Car Repair, Inc. The location is between TSE and Pine Valley Road. Mr. J. M. Spears, who is a part owner of the company, spoke concerning the need for this water line. He stated the water will be used only for domestic use and that a two inch (2") line will be sufficient for this

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service. The company will employee between 40 and 50 people which will be an asset to Diboll. Ingram moved the request for water outside the city limits be granted. Second by Coleman.

Voting Yes: Simms, Ingram, Coleman, Richardson and Pavlic

Voting No: None

City Manager reported that bids were received on January 12 for the purchase of a greensmower for the Golf Course. The bidders and their bids are as follows:

Watsons	$6,896.00 (Net)	$1,094.00 (Trade-in)
Goldthwaites	7,050.00 (Net)	100.00 (Trade-in)

Pineywoods Country Club submitted a bid of $700. for the purchase of the used Toro. Mr. Roberts recommended awarding bid to Watsons for a Jacobsen greens mower and to Pineywoods Country Club for purchasing the Toro from the City. Simms moved to accept the Manager's recommendation. Second by Coleman.

Voting Yes: Simms, Ingram, Coleman, Richardson and Pavlic

Voting No: None

City Manager reported that bids were received on January 12 for the purchase of garbage bags. He stated that all bids were higher than expected (29%). The bidders and their bids are as follows:

Bemis	$ 73.87 per M
Arrow	81.94 per M
Adams	94.80 per M

Mr. Roberts explained that the lowest bid would be $3,000 over budget. One alternative would be to readvertise with an alternate for 1.5 mil bags. The City now uses 2 mil. He stated Lufkin has had good experience with 1.5 mil bags. Richardson moved the City readvertise with specifications asking for 1.5 mil as well as 2 mil bags. Second by Ingram.

Voting Yes: Simms, Ingram, Coleman, Richardson and Pavlic

Voting No: None

Due to the resignation of City Manager Roberts, someone needed to be designated to sign checks with the Mayor. Ingram moved that C. H. Shepherd, Jr., Carl Pavlic and Mayor Pro-Tem James Simms be authorized to sign City checks. Second by Coleman.

Voting Yes: Simms, Ingram, Coleman, Richardson and Pavlic

Voting No: None

Alderman Richardson gave a status report on the multi-purpose court now under construction at Walter Allen Park. He stated the court should be finished in a short time since it has progressed satisfactorily. He asked the Council to

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consider planning a brief dedication ceremony when the court is completed.

Mayor Shepherd, on behalf of the City Council, then presented City Manager Terry Roberts a placque for his service while Manager in Diboll.

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 a regular meeting of the City Council of the City of Diboll, Texas, February 20, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms,	Mayor Pro-Tem
Sam Coleman,	
Carl Pavlic,	
Skip Richardson,	Councilmen
Dr. R. W. Ingram,	
M. D. Scarborough,	Interim Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

Jimmy Cassels,	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 Pavlic.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

Interim Manager Scarborough presented a request for a specific use permit to locate a mobile home on Lot 3, Block 6 of the Farley Addition. The applicant is Mrs. Mary Franklin of 712 Booker. The request has been denied by the Planning and Zoning Commission. No one was present to speak in behalf of the applicant. Simms moved the Council accept the recommendation of the Planning and Zoning Commission and deny the request. Second by Richardson.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

A request for a specific use permit to locate a double wide mobile home on Lot 5, Block 11 of the Town of Diboll was presented for consideration. The applicant is Joseph Wilcox who wants the place the mobile home because of hardship. Mrs. Wilcox was present and explained that her father is very ill and she now helps to care for him. This home would be across the street from her father. Jim'e Johnson of the Planning and Zoning Commission was in the audience and reported that the application has been approved by the Planning and Zoning Commission but stressed to Mrs. Wilcox that the only reason for approval is hardship and that the permit is temporary and must be brought back for renewal every six months. Mrs. Wilcox agreed that

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she is willing to accept these terms. Coleman moved to accept the recommendation of the Planning and Zoning Commission and grant the specific use permit. Second by Simms.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

A request for water outside the City Limits was presented to Council by Mr. and Mrs. Martin J. Roberts. The service would be to a two acre tract approximately 50 feet from the City Limits near the golf course on Arrington Road. Mr. Scarborough reported that Deane Arrington stated she had been told that water would be available to this property since she gave an easement for a water line across her property in 1980. The acreage actually belongs to Chris Smith, Ms. Arrington's sister. Mr. and Mrs. Roberts were present and explained their position on the purchase of the two acres and asked Council consideration for water service. After considerable discussion, Simms moved to deny the request. Second by Richardson.

Voting Yes: Simms, Coleman, Pavlic, and Richardson

Voting No: None

Abstain: Ingram

Alderman Ingram explained that he owns property near the two acres on Arrington Road and felt that he should not vote.

Interin Manager Scarborough reported that Alderman Richardson has requested that the rear doors at the Fire Station be considered for replacement. The doors were salvaged from the old Fire Station when City Hall was remodeled and are presently in poor condition. The cost per door is approximately $600. but is not a budgeted item. Ingram moved the City advertise for bids on the purchase of two doors and four doors, with option to accept either bid. Second by Coleman.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

Mr. Scarborough reported that Richard Oates has resigned from the Planning and Zoning Commission because he is moving to Houston. Mr. Oates served as Chairman; therefore Mayor Shepherd recommends appointing Jim'e Johnson as Chairman and move Tom Kelley from the alternate position to regular member of the Board. Simms moved to accept Mayor Shepherd,'s recommendation. Second by Ingram.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

Golf Manager Dewey Wolf appeared before the Council to explain why he is requesting authorization to advertise for bids for a pickup for the Golf Course. Mr. Wolf stated the truck he now uses, a 1978 Ford, was transferred from the Water and Sewer Department where it had been used by several different people seven days a week. It is not dependable enough to make trips to Lufkin to pick up supplies.

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After discussion, Richardson moved the City advertise for bids on a 1/2 ton and a 3/4 ton with no extras such as radio, air conditioning, etc. Second by Coleman.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

Mr. Scarborough reported that he had received a request from Mr. Joe C. Denman of Temple-Eastex to rework Mill Street and a portion of Neal Pickett. He stated each Alderman had been furnished with an engineering report which had been prepared by Griffith and Associates to determine the best approach in reworking these streets. Alternate C of the proposal will be a design to last six to nine years at a cost in excess of $85,000. After discussion, Simms moved the request be tabled and that staff explain to Mr. Denman that funds are not available at this time and also investigate the possibility of the City receiving assistance with the cost of the street project. Second by Richardson.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

A resolution ordering the City Election to be set for April 7, 1984 was introduced for Council consideration. Pavlic moved the resolution be adopted. Second by Richardson.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

Mr. Scarborough reported that the newly formed cemetary board had met on the 8th of February and made several recommendations that he explained to the Council.

(1) Pavlic moved the cemetary be officially named Diboll City Cemetary. Second by Richardson.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

(2) Pavlic moved to select layout drawing as presented. Second by Coleman.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

(3) Richardson moved that Griffith and Associates be selected as the engineering firm for the cemetary. Second by Ingram.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

(4) Pavlic moved that Joe Sosa be appointed as the sixth member of the cemetary board. Second by Ingram.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

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Bids were received February 15 for the purchase of garbage bags for the year. Mr. Scarborough explained that the bids had been rejected last month and rebid because of the drastic increase in price. He stated these bags were specified for 1½ mil instead of 2 mil. The bidders and their bids are as follows:

Arrow Industries	$3.118 per roll	$3.05 flat box
Adams Industries	$3,43 per roll	

Mr. Scarborough recommended bid be awarded to Arrow Industries for 1½ mil in the flat box. The total cost will be about $200. over budget. Simms moved to accept staff's recommendation. Second by Coleman.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

Mr. Lynn Montes, CPA with Axley and Rode, appeared before the Council to present the audit for the 1982-83 fiscal year. He briefly reviewed each department's expenditures as well as revenues in each fund. He further explained why some departments were over budget for the year. A detailed report was given on the equipment fund reviewing with Council an updated summary of the equipment and replacement costs as prepared by Interim Manager Scarborough. It was determined that funds are not available for all of the equipment should it need replacing at the date pre-determined by depreciation, however money could be used from the fund at the time of purchase with Council approval. Council accepted the audit as presented upon motion by Ingram and second by Coleman.

Voting Yes: Simms, Coleman, Pavlic, Richardson and Ingram

Voting No: None

Council then went into executive session at 7:10 P. M. to discuss personnel 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 19, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.	Mayor
James P. Simms, Sam Coleman, Dr. R. W. Ingram, Carl Pavlic, Skip Richardson,	Councilmen
Vernon Cupit,	City Manager
M. D. Scarborough,	Director of Public Works
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

Jimmy Cassels,	City Attorney

Meeting was opened 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 Ingram.

Voting Yes: Simms, Coleman, Ingram, Pavlic and Richardson

Voting No: None

Director of Public Works reported that bids were received on March 14 for the purchase of one pickup for the golf course. The bidders and their bids are as follows:

Company	1/2 Ton	3/4 Ton
Issacs Chevrolet	$8,295.60	$9,426.95
McDonald Chevrolet	8,023.60	8,822.50
Clifton Duke Chevrolet	8,328.00	none
Angelina Chevrolet	8,279.55	9,033.69
Gibbs Motor Company	8,432.00	9,326.00

Staff recommends accepting the bid from McDonald Chevrolet for the 1/2 ton in the amount of $8,023.60 which is the lowest bid. Council discussed the possibility of placing this vehicle in another department and assigning a used one to the golf course. After considerable discussion, Coleman moved the staff's recommendation be accepted and placement of the new vehicle be left to the discretion of the City Manager. Second by Simms.

Voting Yes: Simms, Coleman, Ingram, Pavlic and Richardson

Voting No: None

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M. D. Scarborough reported that only one bid had been received on the replacement of rear doors at the fire department. The bid is from Touch and Go Overhead Doors in the amount of $1,137.00 for two doors and $2,222.00 for four doors. Simms moved that the bid be accepted for four doors in the amount of $2,222.00. Second by Coleman.

Voting Yes: Simms, Coleman, Ingram, Pavlic and Richardson

Voting No: None

Ballots for the City Officials Election set for April 7, 1984 were presented for certification. Ballots were inspected and found to be printed properly. Ingram moved that fifty (50) ballots be assigned for absentee voting and 950 for voting at the polls for a total of 1,000 ballots, the number presented for certification. Second by Richardson.

Voting Yes: Simms, Coleman, Ingram, Pavlic and Richardson

Voting No: None

Mrs. Nancy Chancellor was present to give a report on "Keep America Beautiful" campaign. She explained the requirements that must be met to be certified in the program. She asked for Council endorsement of the program and also stated that approximately $500. needs to be allocated now by the Council and $1,000. be included in the 1984-85 budget. The program will require cooperation of the Director of Public Works in the actual administering of the campaign which will entail clean up of the entire City. Ingram moved the City endorse the program and approve the money that is requested; $500. now and $1,000. in the 1984-85 fiscal budget. Second by Richardson.

Voting Yes: Simms, Coleman, Ingram, Pavlic and Richardson

Voting No: None

Mr. Neal Blanton with Texas Power and Light Company appeared before the Council to request that Council adopt an ordinance to approve a rate increase. He explained that rising costs and the need to continue offering better service to customers make it necessary to raise rates. After presentation and comment, Simms moved the Council not approve the rate increase and adopt a resolution suspending the increase for 120 days and join with other cities in appealing to the Public Utilities Commission. Second by Pavlic.

Voting Yes: Simms, Coleman, Ingram, Pavlic and Richardson

Voting No: None

Council then went into executive session to hear reports from Lynn Montes with Axley and Rode and Thomas J. McPherson, computer consultant for the City.

Mayor opened the executive session and reported that accounting and computer procedures had been discussed with no action taken. Council adjourned at 7:00 P. M. upon motion by Simms.

James P. Simms
MAYOR

ATTEST:

Geneva S. Ard
City Secretary

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Minutes of a regular meeting of the Cemetary Board of the City of Diboll, March 28, 1984 at 4:00 P. M. at Diboll City Hall.

Members Present:

Nan Miller, Chairman

Mark Shepherd
Albert Delco

Members Absent:

Joe Sosa
John McClain
Fannie Washington

Also Present:

Vernon Cupit,	City Manager
Geneva Ard,	City Secretary
Jerry Clark,	Engineer

City Manager reported that he and M. D. Scarborough had met with Mr. Arthur Temple regarding several items of concern to Mr. Temple about the cemetary. Mr. Cupit reported that Council had approved the name of the cemetary as presented by the Board, "Diboll City Cemetary" which was not satisfactory to Mr. Temple. A list suggested at the last Board meeting was presented and narrowed by Mr. Temple to the following: Eternal Rest, Pine Shadows, Forest Haven and Sunset Memorial Park. After consideration, Delco moved the name Forest Haven be selected. Second by Shepherd.

Voting Yes: Miller, Shepherd, and Delco

Voting No: None

Mr. Temple also stated that he would like the monument to be in memory of the people in Diboll rather than a religious theme. Several inscriptions for the monument were presented for consideration. After careful review, Shepherd moved the inscription read: "To the glory of God and to the people of Diboll, in loving memory of Diboll citizens who served this community with loyalty and devotion". Second by Delco.

Voting Yes: Miller, Shepherd, and Delco

Voting No: None

Mr. Jerry Clark with Everitt Griffith and Associates presented the surveying and engineering proposals. He explained that he will be able to stay within the original cost estimate which is $4,500. This does not include a metal marker at each plot. Mr. Clark gave a detailed explanation of each proposal and alternate proposal. After the presentation Delco moved the Board accept Proposal C - Alternate No. 2 which is as follows.

1. Set concrete monument at each block corner, at corner number stenciled on cap.

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2. Set 1/2" iron pin at 1 1/2" diameter aluminum cap every fifth plot at plot corner, number stenciled on each.

3. Cost - $3,400.

Second by Shepherd.

Voting Yes: Miller, Shepherd, and Delco

Voting No: None

Representatives from Lufkin Memorials were present to discuss with the Board the different requirements for grave stones. Assistance on design and type of monument was also offered in that the company will work with the architect from Griffith and Associates.

The architect from Griffith and Associates will also design a decorative type fence and present cost estimates to the Board.

The Board discussed the possibility of maintaining the existing cemetary which is adjacent to the proposed one but no official action was taken.

In other business, the Board discussed the price of plots, the style of markers, areas designated for flat or upright markers and the size of each. City Manager reported that he will work on a feasible price of plots and present recommendation to the Board. The other items will be brought back for Board consideration at a later time.

Recommendations concerning the name of the cemetary, inscription for the monument, and engineering and surveying proposals will be presented for City Council consideration at the next regular meeting.

There being no further business, Board adjourned at 5:15 P. M.

_____
Nan Miller, Chairman

Geneva L. Ard
City Secretary

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Minutes of a Special meeting of the City Council of the City of Diboll, Texas, April 9, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd,	Mayor
James P. Simms, Dr. R. W. Ingram, Skip Richardson, Carl Pavlic,	Councilmen
Vernon Cupit,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

Sam Coleman,	Councilman

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

Mayor Shepherd stated the purpose of the meeting was to canvass the results of the April 7, 1984 City Officials Election. The canvass revealed the following:

For Aldermen (3) To Be Elected	Votes
James Simms	200
Darwin "Bo" Smith	135
Merrell "Skip" Richardson	131
R. W. "Woody" Ingram	195
James T. Leftwich	62

After investigation of the returns, Ingram moved the results be accepted with James Simms, Darwin "Bo" Smith and R. W. "Woody" Ingram being elected for a two year term on the City Council. Second by Pavlic.

Voting Yes: Simms, Ingram, Richardson and Pavlic

Voting No: None

There being no further business, Council adjourned at 5:20 P. M. on motion by Ingram and second by Simms.

_____
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 16, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

James Simms,	Mayor Pro-Tem
Carl Pavlic,	
Dr. R. W. Ingram,	
Sam Coleman,	Councilmen
Skip Richardson,	
Darwin "Bo" Smith,	Councilman Elect
Vernon Cupit,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

C. H. Shepherd, Jr.,	Mayor

Also Present:

Jimmy Cassels,	City Attorney

Meeting was opened with the invocation by Alderman Coleman.

City Attorney administered the oath of office to newly elected Council members, Darwin Smith, James Simms and R. W. Ingram.

Mr. Cassels stated that at this time Council needed to elect a Mayor Pro-Tem for the next year. Ingram moved that Carl Pavlic be elected. Second by Coleman.

Voting Yes: Pavlic, Ingram, Coleman, Smith

Voting No: None

Mayor Pro-Tem presented a plaque and proclamation to Skip Richardson honoring him for the service he gave as a member of the Council for the past two years.

Pavlic moved to approve the minutes of the previous meetings and they be approved as previously submitted to each Alderman in writing. Second by Coleman.

Voting Yes: Pavlic, Ingram, Coleman and Smith

Voting No: None

City Manager reported on changes that are recommended by the Cemetary Board.

(A) Changing the name of the cemetary to Forest Haven - from Diboll City Cemetary
(B) Consider the inscription for the monument
(C) Award the engineering contract for cemetary lay-out.

Pavlic moved to accept the recommendations as presented. Second by Ingram.

Voting Yes: Pavlic, Ingram, Coleman and Smith

Voting No: None

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The inscription for the monument will read as follows: "To the glory of God and to the people of Diboll, in loving memory of Diboll citizens who served this community with layalty and devotion".

City Manager Cupit reported that the City had requested the State Highway Department to do a survey and make recommendations concerning the speed limits on Ryan Chapel Road. An ordinance was introduced lowering the speed at certain points. After review, Coleman moved to adopt the ordinance as read. Second by Ingram.

Voting Yes: Pavlic, Ingram, Coleman and Smith

Voting No: None

City Attorney Cassels recommended the Police Department issue warnings only for the next 30 to 45 days in order for the citizens to become familiar with the lower zone. A copy of the ordinance is on file in the office of the City Secretary.

City Manager read a memo from the Texas Municipal League concerning legislation on the "Pothole Bill,". If this bill is passed, the City could receive up to $100,000. to repair City streets. After discussion, Coleman moved the City adopt a resolution to join with other cities to support this bill. Second by Smith.

Voting Yes: Pavlic, Ingram, Coleman and Smith

Voting No: None

City Attorney introduced a resolution recognizing the Historical Society which is overseeing the construction of a museum of artifacts and historical information at the T. L. L. Temple Memorial Library. This resolution will help the society in its efforts to become chartered as a non-profit, tax exempt organization. Skip Richardson, Becky Bailey and Brenda Russell were present to speak on the organization which was read in its entirety. Pavlic moved the resolution be adopted. Second by Ingram.

Voting Yes: Pavlic, Ingram, Coleman and Smith

Voting No: None

Council went into executive session to discuss appointments on the Housing Authority Board. Mayor Pro-Tem opened the session and Ingram moved the following be appointed to the Board; Alan Miller, James Rhone and Geraldine Pouland. Second by Smith.

Voting Yes: Pavlic, Ingram, Coleman and Smith

Voting No: None

There being no further business, Council adjourned at 5:55 P. M. upon motion by Ingram.

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, May 21, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.	Mayor
Carl Pavlic,	Mayor Pro-Tem
James P. Simms, Sam Coleman, Dr. R. W. Ingram,	Councilmen
Vernon Cupit,	City Manager
Geneva Ard,	City Secretary

Members Absent:

Darwin "Bo" Smith,	Councilman

Also Present:

Jimmy Cassels,	City Attorney

Meeting was called to order by Mayor Shepherd.

Invocation was given by Manager Vernon Cupit.

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

Voting Yes: Pavlic, Simms, Coleman and Ingram

Voting No: None

City Manager Cupit explained that Mr. Randy Blanks with Deep East Texas Council of Governments has prepared a grant application for block grant funding to upgrade water service on the west side of town. However, Mr. Blanks was unable to be present to give his presentation. Mayor Shepherd opened a public hearing to hear pros and cons concerning the water improvements. No one spoke either for or against the grant money being used for water improvements. Simms moved the public hearing close. Second by Coleman.

Voting Yes: Pavlic, Simms, Coleman and Ingram

Voting No: None

City Manager reported that a request from property owners of approximately two acres in the Pinecrest Addition expresses their desire to be annexed to the City. He stated this includes nine (9) lots which all have City utilities and the street is paved. There would no financial advantage to either the City or the citizens since taxes will probably balance with the outside rates now being paid. City Attorney Cassels explained the legalities of annexing the property stating that another public hearing will need to be held in June. The meeting

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was then opened to the public and Council heard from several residents of the property to be annexed with J. C. Butler the organizer of the petition, acting as spokesman. No one opposed the annexation. Simms moved the City annex the property subject to legal procedures. Second by Ingram.

Voting Yes: Pavlic, Simms, Coleman and Ingram

Voting No: None

The Planning and Zoning Commission submitted a recommendation to the Council to change the zoning of an outlot at the corner of Neal Pickett and Pine Valley from Agriculture to 2-F. The zone request is from Jose Ramos. The property owner was present as well as several members of the Planning and Zoning Commission. Simms moved to approve the recommendation of the Planning and Zoning Commission which stipulates Mr. Ramos must obtain a deed from Temple-Eastex for property which would give access from the street to his house. Second by Coleman.

Voting Yes: Pavlic, Simms, Coleman and Ingram

Voting No: None

Council heard a request from D. R. McNaughton for water service to his property on Arrington Road. The property is outside the city limits however, the City has utility easements across the property for a water line. The easement was granted with the stipulation that the owner, even if the property changed ownership, would be allowed to connect to the City's water system. Pavlic moved the request be granted. Second by Ingram.

Voting Yes: Pavlic, Simms, Coleman and Ingram

Voting No: None

City Attorney reported on the requirements concerning the City calling an election to legalize bingo for charitable organizations. He stated the Council could vote to call the election or could be petitioned by registered voters. The election would make it legal for bingo games but a sponsoring agency would have to apply for the actual games to be held. Several people spoke in favor of a bingo election including Richard Warner, Jack C. Sweeney and D. R. McNaughton. Rev. Oliver Deene spoke against it. After considerable discussion, Simms moved an election be held on August 11, 1984 to vote for or against legalizing bingo. Second by Coleman.

Voting Yes: Simms, Coleman and Ingram

Voting No: Pavlic

Mr. Cassels further explained that the City will only be responsible for holding the election in accordance with State Election Law; if legalized, questions, permits or any other information must be obtained from the State Comptroller.

Council then recessed and reconvened in executive session to consider appointment of two members to the Planning and Zoning Commission and to discuss personnel and legal matters.

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Council opened the meeting and reported that Kay Henson and Jimmy Moye were appointed to the Planning and Zoning Commission.

Personnel matter was discussion of administration of vacation accrual. An amendment to the Personnel Policy will be written to reflect the changes.

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, June 14, 1984 at 4:30 P. M. in the Fire Sub Station located on Beech Street.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Carl Pavlic, James P. Simms, Sam Coleman, Bo Smith, Dr. R. W. Ingram,	Councilmen
Vernon Cupit,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

Paul Clarke,	City Attorney

Meeting was called to order by Mayor Shepherd.

Invocation was given by Alderman Pavlic.

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: Pavlic, Simms, Coleman, Smith and Ingram

Voting No: None

City Manager reported that in accordance with legal requirements, a second public hearing is being held at this meeting to hear from citizens concerning the City's application for a community block grant for water improvements. Mr. Randy Blanks, grant coordinator was present to answer any questions. Mayor Shepherd conducted the public hearing with no one voicing pros or cons about the grant. Simms moved the public hearing be closed and staff proceed with necessary steps that are required. Second by Ingram.

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

Voting No: None

Mr. Paul Clarke, City Attorney, appeared before the Council to discuss any questions or comments with regard to annexation procedures of approximately 2½ acres in the Pinecrest Addition, (nine lots). Mayor Shepherd declared the meeting open to a public hearing to receive input concerning the annexing of this property. Mrs. Ruby Gordon, a property owner, urged the Council to final this annexation as soon as possible. No one opposed the annexation. Mr. Clarke then explained that a

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petition is being circulated to obtain positive ownership. One lot has not been certified, which is listed as belonging to FHA. This will make the verification of ownership unanimous. Smith moved legal procedings continue to final the annexation. Second by Coleman.

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

Voting No: None

Council heard two recommendations from Planning and Zoning Commission. The first was an application for an extension on a specific use permit for a mobile home by Mrs. June McGuire. Planning and Zoning has approved the application. Alderman Simms suggested that this permit be granted for an indefinite time since six months passes so quickly and it is an inconvenience for Mrs. McGuire. Mrs. McGuire was present and there was considerable discussion. After discussion, Simms moved the recommendation of the Planning and Zoning be accepted with the permit being renewable in six months. Second by Coleman.

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

Voting No: None

The second recommendation from Planning and Zoning Commission was for approval of a temporary specific use permit for a mobile home from Mrs. Shirley Terrell. Ingram moved the recommendation of the Planning and Zoning Commission be accepted. Second by Simms.

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

Voting No: None

City Manager presented proposed ordinances and amendments to the traffic ordinance as recommended by Chief of Police Danny Ray and Mr. Gerry Biggs with the Department of Highways and Transportation. A sketch was reviewed by Council showing area by the high school on FM 1818 where the speed zone will be changed. After review, Ingram moved the ordinance be passed and adopted. Second by Smith.

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

Voting No: None

The zone changed includes lowering speeds for Loop 210, elementary school area, and FM 1818, high school area.

Also presented for consideration was a NO PARKING zone on the north side of Loop 210 from its intersection with Hendrix Street to its intersection with Thompson Street. Coleman moved this ordinance be approved and adopted. Second by Ingram.

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

Voting No: None

Council recessed and went into executive session to discuss personnel matters.

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Mayor Shepherd reported the executive session was to discuss changes in vacation policy administration and that no changes were made.

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 a special meeting of the City Council of the City of Diboll, Texas, July 5, 1984 at 4:30 P. M. in the Council Chambers at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr., Mayor

James P. Simms,
Sam Coleman,
Bo Smith, Councilmen

Vernon Cupit, City Manager
Geneva S. Ard, City Secretary

Members Present:

Carl Pavlic,
Dr. R. W. Ingram, Councilmen

The meeting was called to order by Mayor Shepherd who explained the purpose of the meeting was to consider an ordinance asking for a decrease in rates for electrical service from Texas Power and Light, rather than an increase. This is joining with other cities in Texas in an effort to keep the increase suspended until a ruling from the Public Utilities Commission.

Mr. Neal Blanton with Texas Power and Light appeared before the Council to ask that the ordinance not be adopted since it feels the information is inaccurate and is detrimental to his company's reputation. There was considerable discussion between Mr. Blanton and the Council.

Simms then moved to adopt the ordinance as presented. Second by Smith.

Voting Yes: Simms, Coleman, Smith

Voting No: None

There being no further business, Council adjourned at 5:00 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 July 16, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Carl Pavlic, Dr. R. W. Ingram, James P. Simms, Sam Coleman,	Councilmen
Vernon Cupit,	City Manager
Geneva Ard,	City Secretary

Members Absent:

Darwin "Bo" Smith,	Councilman

Also Present:

Jimmy Cassels,	City Attorney

The meeting was called to order by Mayor Shepherd.

Manager Cupit gave the invocation.

The minutes of the previous meetings were sent to each Alderman in writing. Coleman moved the minutes be approved as submitted. Second by Pavlic.

Voting Yes: Pavlic, Ingram, Simms, Coleman

Voting No: None

City Secretary presented ballots for the August 11 special election for legalizating bingo for charitable organizations for Council certification. Coleman moved that fifty (50) ballots be used for absentee voting and the nine hundred fifty (950) be used at the polls totaling the one thousand ballots (1,000) presented. Second by Simms.

Voting Yes: Pavlic, Ingram, Simms, Coleman

Voting No: None

City Manager explained that due to the change in managers, a resolution appointing a new fiscal agent needs to be adopted. This relates to the signatory agent for the federal grant to upgrade the sewer system. Pavlic moved Vernon Cupit be appointed. Seconded by Simms.

Voting Yes: Pavlic, Ingram, Simms, Coleman

Voting No: None

Council then went into executive session to discuss personnel items.

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Mayor Shepherd reported that the terms of Don Hendrick and Clyde Maxey as members of the Board of Adjustments and Appeals expire this month and that terms of alternate members Jerry Bloodworth and Ernie Musick also expire this month. Simms moved that all members be reappointed. Second by Coleman.

Voting Yes: Pavlic, Ingram, Simms, Coleman

Voting No: None

No other action was taken.

There being no further business, Council adjourned at 6:05 P. M.

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 August 13, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Sam Coleman, James P. Simms, Dr. R. W. Ingram, Darwin Smith, Carl Pavlic,	Councilmen
Vernon Cupit,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

None

Also Present:

Jimmy Cassels,	City Attorney

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

The results of the bingo election was presented for investigation. The election canvass revealed the following results:

For Legalizing Bingo	94
Against Legalizing Bingo	12

Ingram moved the canvass be accepted as presented. Second by Pavlic.

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

Voting No: None

City Manager stated that the tax roll for 1984 needs to be certified. There has been no re-evaluation on property. The increase is derived from new construction. The gross amount of the roll is $121,597,070 which is before exemptions for over 65, agriculture, etc. The net amount is $117,452,475. Simms moved the 1984 tax roll be certified for this amount. Second by Ingram.

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

Voting No: None

Mr. Wayne Neal with CableCom appeared before the Council to give a status report of the progress being made on the upgrade of the system. Mr. Neal stated the first six or seven miles of cable has been installed and completion of this part of the work should be within three weeks. He stated he realized there is considerable inconvenience to the customers since cable service during the hours of 7:00 A. M. to 4:00 P. M. has been interupted for several weeks and

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some days there is no service at all if new equipment is being installed. He reported that he will approach his company about possibly delaying the increased rates for a month after the rebuild is completed to compensate for the service not received. The rebuild is moving along ahead of schedule.

City Manager reported to the Council on the needs he is considering for the 1984-85 budget and asked for any items that Council may want to include. There was discussion on several line items and capital expense but no official action was taken. A workshop for the budget will be held later.

The term of Carl Pavlic on the DETCOG Board of Directors has expired and an elected official should be appointed or reappointed for this position. Ingram moved Mayor Shepherd be appointed since Mr. Pavlic did not want to be considered this year. Second by Smith.

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

Voting No: None

Manager explained that the City is in need of two six yard dump trucks. The present ones are past due to be replaced and the expense would be from the equipment fund. After considerable discussion, Ingram moved the City advertise for bids. Second by Smith.

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

Voting No: None

There being no further business, Council adjourned at 6:30 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, August 20, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.	Mayor
Sam Coleman, James P. Simms, Dr. R. W. Ingram, Carl Pavlic, Darwin "Bo" Smith,	Councilmen
Vernon Cupit,	City Manager
Geneva Ard,	City Secretary

Members Absent:

None

Also Present:

Jimmy Cassels,	City Attorney

The meeting was called to order by Mayor Shepherd.

The invocation was given by Manager Cupit.

Simms 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 Ingram.

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

Voting No: None

City Manager reported that all necessary legal proceedings have been accomplished regarding annexing nine lots in the Pine Crest Addition to the City of Diboll. City Attorney introduced an ordinance that will finalize the annexation. Simms moved the ordinance be passed and adopted. Second by Smith.

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

Voting No: None

City Manager reported that a request from Ray and Gladys Rector for a zone change of their property at 602 Devereaux from SF-2 to B-1 has been denied by the Planning and Zoning Commission. The Commission further recommends that the $50. application fee be refunded to the Rectors. There was considable input from Mr. and Mrs. Rector who were present at the meeting. After hearing request and explanations concerning the business desired which will be a beauty shop, Ingram moved Council accept the recommendation of the

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Planning and Zoning Commission by granting a Special Use Permit provided no objections are received from the residents adjacent to the property and that requirements of the zoning ordinance for SF-2 be waived. Second by Coleman.

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

Voting No: None

Council also stipulated that Mrs. Rector not place a sign any larger than three square feet and that ample parking space be provided. The Special Use Permit was granted due to the deterioration of the neighborhood and would not degrade the surrounding properties.

City Manager presented a proposal for the City to update its contribution to the Texas Municipal Retirement System. At the present time, employees are contributing 5% of their salary and is matched by a City contribution of 1½ times that amount on retirement. Mr. Cupit asked that Council consider an update and ratio change of the City's contribution from 1½ to 2. The actual percentage that will paid by the City will be 4.44%. After explanation and questions, Simms moved an ordinance be adopted to change the retirement ration from 1-1½ to 1-2. Second by Pavlic.

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

Voting No: None

Council then went into executive session to discuss personnel and legal matters.

Mr. Cupit reported that four members terms on the Park and Recreation Board are expiring this month. All are willing to serve again. The are Harold Maxwell, Ken Holt, David Kellum and Albert Delco. Simms moved that all four be reappointed and that Robert Ramsey be added to the Board. Second by Smith.

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

Voting No: None

Ingram moved that appointment of an alternate member of the Planning and Zoning Commission be delayed until the next regular meeting. Second by Coleman.

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

Voting No: None

City Manager reported that the Commissioners Court is looking into the problems of the operation of the Angelina County Landfill. The Commissioners are considering employing a consultant to work up a study concerning this and would like input from the City of Diboll as well as financial assistance.

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The cost to the City will be approximately $1,500. After brief discussion, it was the consensus of the Council to participate in the study and allocate money for the funds requested.

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 a regular meeting of the City Council of the City of Diboll, Texas September 17, 1984 at 5:15 P. M. in the mmeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
James P. Simms, Sam Coleman, Darwin "Bo" Smith, Dr. R. W. Ingram, Carl Pavlic,	Councilmen

Members Absent:

None

Also Present;

Vernon Cupit,	City Manager
Geneva S. Ard,	City Secretary
Jimmy Cassels,	City Attorney

The meeting was called to order by Mayor Shepherd.

The invocation was given by Vernon Cupit.

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 Simms.

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

Voting No: None

City Manager reported that bids for two (2) new dump trucks and beds were received and the City Attorney would open them at this time. The bidders and their bids are as follows:

Name	Base Bid	Trade-In	Net Price
Gibbs GMC Trucks	$35,852.72	$2,500.00	$33,352772
Greater Lufkin Ford	33,480.42	2,400.00	31,080.42

After reviewing the bids and specifications, Smith moved the bid be awarded to Greater Lufkin Ford, the low bidder. Second by Pavlic.

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

Voting No: None

Mr. D. R. "Pop" Rich appeared before the Council to present a petition signed by fifty-five residents of the City objecting to violations of deed restrictions. The specific situation referred to is a garage near Mr. Rich's home being used as a residence. The garage has been occupied although no utilities are connected.

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Mr. Rich's home is located on Booker Street in the Farley Addition which has deed restrictions that Mr. Rich feels the City should enforce. M. D. Scarborough, Director Public Works, explained that he has met with Mr. Rich and Mr. Mendoza who is alledged to be living in the garage. Mr. Mendoza has denied residence and Mr. Scarborough feels the City has fulfilled its obligation and should not attempt to enforce deed restrictions.

City Attorney Cassels expounded on the complications of the City trying to enforce deed restrictions since it is not the City's problem but that of the property owner. After input from the audience and the Council, Simms moved the City Attorney write Mr. Mendoza a letter advising him of the allegations and invite him to be present at the next regular meeting where this item will again be on the regular agenda for consideration. Second by Ingram.

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

Voting No: None

No action was taken on a drainage problem at 110 Hines since the attorney or the resident, Jose Hernandez was not present.

Mayor Shepherd opened a public hearing on the Revenue Sharing Budget for the 1984-85 fiscal year. No one spoke for or against the budget. The entire allocation is budgeted for capital expense in the Fire Department. Simms moved the hearing be closed. Second by Ingram.

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

Voting No: None

Mayor Shepherd opened a public hearing on the City budget for the 1984-85 fiscal year. No one appeared to speak for or against the proposed budget. Coleman moved the hearing be closed. Second by Smith.

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

Voting No: None

An ordinance adopting the tax rate at $.26 per hundred dollar valuation was introduced for consideration. The ordinance is standard procedure. Simms moved the tax rate be adopted by ordiance. Second by Coleman.

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

Voting No: None

An ordinance adopting the 1984-85 budget in the amount of $1,942,681. was presented for consideration. The total includes the Revenue Sharing. Simms moved the budget be adopted. Second by Ingram.

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

Voting No: None

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City Manager reported that tractor and bush-hog in the Street Department needs to be replaced. Mr. Cupit stated that should the 1974 John Deere breakdown again, the cost of repair would be more than the value of the tractor if the oil system has the same problems as in the past. The money for the purchase is available in the equipment fund. Pavlic moved the manager be authorized to receive bids on this piece of equipment. Second by Coleman.

Voting Yes: Simms, Coleman, Smith, Ingra, and Pavlic

Voting No: None

Council then went into executive session to discuss personnel and legal matters.

No action was reported when the meeting opened. Council adjourned at 6:30 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, October 22, 1984 in the Council Chambers at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Carl Pavlic, Sam Coleman, James P. Simms, Dr. R. W. Ingram,	Councilmen
Vernon Cupit,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

Darwin "Bo" Smith,	Councilman

Also Present:

Jimmy Cassels,	City Attorney

The meeting was called order by Mayor Shepherd.

The invocation was given by City Manager Cupit.

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: Pavlic, Coleman, Simms, and Ingram

Voting No: None

City Attorney explained the action that was taken at the last regular meeting regarding enforcing deed restrictions in the Farley Addition. Specific problem was related to Dionicio Guerrero residing in a renovated garage behind his daughter's home on Booker Street. Esteban Cavazos was present to speak for Mr. Guerrero. Mr. Cavazos told the Council that no one is living in the garage that is being discussed. It is used by Mr. Guerrero only as a private place to rest or to read, but that it is not slept in at night. Mrs. D. R. Rich alledged that there are beds inside the garage; therefore it is being used as a residence. After considerable questions and discussions from both families involved, Coleman moved no action be taken until Council is in executive session. Second by Pavlic.

Voting Yes: Pavlic, Coleman, Simms, and Ingram

Voting No: None

City Manager requested authorization to advertise for bids on a copier to replace the present Xerox machine. The cost has been included in the 1984-85 budget. Pavlic moved authorization be granted. Second by Ingram.

Voting Yes: Pavlic, Coleman, Simms, and Ingram

Voting No: None

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AGENDA
CITY COUNCIL MEETING
MONDAY, NOVEMBER 19, 1984
DIBOLL CITY HALL
5:15 P.M.

1. Call to Order.
2. Invocation
3. Minutes of previous meetings.
4. Consider the request of Temple-EasTex for quit claim of property known as Riggs Street.
5. Discuss sewer problems.
6. Consider the City furnishing water to Martin Mallard outside the City limits.
7. Discuss the feasibility of a civic center.
8. Consider recommendations of the Planning and Zoning Commission on a Specific Use Permit for Joseph Wilcox.

EXECUTIVE SESSION:

1. Appoint two members to the Cemetery Board.
2. Other legal and personnel matters.

Geneva S. Ard
City Secretary

POSTED: Wednesday, November 14, 1984 at 1:30 P.M., City Hall Bulletin Board.

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas, November 19, 1984 at 5:15 P. M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Carl Pavlic, Dr. R. W. Ingram, Darwin "Bo" Smith,	Councilmen
Vernon Cupit,	City Manager
Geneva S. Ard,	City Secretary

Members Absent:

James P. Simms,	Councilman
Sam Coleman,	Councilman

Also Present:

Jimmy Cassels,	City Attorney

The meeting was called to order by Mayor Shepherd.

The invocation was given by City Manager Cupit.

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 Pavlic.

Voting Yes: Pavlic, Ingram and Smith

Voting No: None

Mr. Art Bauereiss representing Temple-Eastex Legal Department appeared before the Council to present a petition requesting that the Council adopt an ordinance to close Riggs Street and authorize conveyance of that land to Temple-Eastex. Even though Riggs is a dedicated street it has never been developed or used. Mr. Bauereiss stated that he has obtained letters from the two abutting property owners waiving rights to purchase their portion of the street if it is abandoned. The two owners affected are Temple Associates, Inc. and Sabine Investment. City Attorney Cassels briefed the Council on the proper legal steps that are involved. After discussion, Pavlic moved that Riggs Street be abandoned. Second by Ingram.

Voting Yes: Pavlic, Ingram and Smith

Voting No: None

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Pavlic then moved that the City sell the property known as Riggs Street to Temple-Eastex, Inc. by accepting the waiver letters at the appraised value. Second by Ingram.

Voting Yes: Pavlic, Ingram and Smith

Voting No: None

Mr. Jimmy Griffith with Everitt Griffith and Associates appeared before the Council to report on the sewer studies that have been done during Phase I of the EPA Grant. He stated that problems have been identified in several areas of town but money will not be available in 1985 from grant sources to correct the problems since it will run in excess of $240,000. Council discussed with Mr. Griffith the problems that now exists including the businesses in the downtown area that are having sewer back up into the stores and offices at certain times, especially during hard rains. Mr. Cupit explained that the City did not intend to wait for the grant funds and as time and money is available, work will continue to correct this problem.

Council further instructed City Manager Cupit to check with the State Highway Department about helping to alleviate some of the drainage problems along US 59 south of the Nursing Home by cutting out the ditches.

Mr. Martin Mallard appeared before the Council on behalf of his mother, Mable Warren, who is requesting water service outside the City Limits just off Arrington Road. The property is located in an area where the residents have water that was furnished there several years ago. After discussion, Pavlic moved Mr. Mallard be granted the request. Second by Smith.

Voting Yes: Pavlic, Ingram and Smith

Voting No: None

City Manager reported Planning and Zoning has recommended the renewal of a specific use permit for a mobile home owned by Joseph Wilcox on Hamner Street. Pavlic moved to accept the recommendation of the Planning and Zoning Commission. Second by Smith.

Voting Yes: Pavlic, Ingram and Smith

Voting No: None

Council discussed the possibility of participating in a steering committee who will study the feasibility of a civic center for Diboll. The item was placed on the agenda at the request of Dr. Ingram who volunteered to serve on a committee. There was considerable discussion as to who would use the center, where funds would be obtained and cost it would mean to the City over the years to come. After discussion, Ingram moved the City participate with other citizens on a steering committee and begin to

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seriously consider the feasibility of a civic center. Second by Smith.

Voting Yes: Pavlic, Ingram and Smith

Voting No: None

City Manager was also instructed by Council to investigate the possibility of any grant funds that may be available to finance a civic center.

There being no further business, Council adjourned into executive session to discuss personnel and legal matters at 5:55 P. M.

Mayor Shepherd reported that two members had been appointed to the Cemetary Board, Charles Schmidt and Charles E. Moses.

C. H. Shepherd Jr.
MAYOR

ATTEST:

Vernon Cupit
for City Secretary

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Minutes of a called meeting of the City Council of the City of Diboll, Texas, December 10, 1984 at 5:15 P.M. in the meeting room of Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Carl Pavlic, Dr. R. W. Ingram, James Simms, Darwin "Bo" Smith,	Councilmen
Vernon Cupit,	City Manager

Members Absent:

Sam Coleman	Councilmen

Also Present:

Jimmy Cassels	City Attorney

The meeting was called to order by Mayor Shepherd.

The invocation was given by City Manager, Vernon Cupit.

Mr. Pavlic moved to adjourn to executive session. Second by Dr. Ingram.

Voting Yes: Pavlic, Smith, Ingram, & Simms

Voting No: None

C. H. Shepherd Jr.
MAYOR

ATTEST:

Vernon Cupit
CITY MANAGER

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AGENDA
CITY COUNCIL MEETING
MONDAY, DECEMBER 17, 1984
DIBOLL CITY HALL
5:15 P.M.

1. Call to Order.
2. Invocation.
3. Consider minutes of previous meetings.
4. Hear an updated report on Cable TV repairs.
5. Consider the request of Mr. Carl J. Halsell for water service outside the City limits.
6. Consider comments of Mr. G. B. Treadway of 1315 Glass Street concerning the Livestock Ordinance.
7. Consider the purchase of an office copier.

EXECUTIVE SESSION:

1. Discuss personnel and legal matters.

Vernon Caplit
City Manager

POSTED: Tuesday, December 11, 1984 at 9:15 A.M., City Hall Bulletin Board.

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Minutes of a regular meeting of the City Council of the City of Diboll, Texas December 17, 1984 at 5:15 P.M. in the meeting room at Diboll City Hall.

Members Present:

C. H. Shepherd, Jr.,	Mayor
Carl Pavlic Dr. R. W. Ingram, James Simms, Darwin "Bo" Smith	Councilmen
Vernon Cupit,	City Manager

Members Absent:

Sam Coleman	Councilmen

Also Present:

Jimmy Cassels,	City Attorney

The meeting was called to order by Mayor Shepherd.

The invocation was given by City Manager, Vernon Cupit.

James 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 Pavlic.

Voting Yes: Pavlic, Simms, Ingram, & Smith

Voting No: None

Mr. Neal, representing Cable Com of Lufkin gave a report on the Cable T.V. repair work being accomplished in the City. After a brief explantion of the repair work accomplished and expanded services, Mr. Neal answered several questions from the Council. Mrs. Rector addressed the council and Mr. Neal concerning the problem she was experiencing with her cable reception. After a discussion Mr. Neal agreed to meet with Mr. Russell at the Rector's residence and evaluate and try to solve the problem Mrs. Rector was experiencing.

Mr. Carl J. Halsell addressed the Council requesting, with an explantion, water service outside the City limits. Smith moved the City grant the request and furnish Mr. Halsell with water. Second by Simms.

Voting Yes: Smith, Simms, Pavlic and Ingram.

Voting No: None

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A review of office copy equipment bids was made and discussed. The bid by Story-Wright for a sharp 826 copier proved to be low when comparisons of equipment was made.

City Manager, Cupit recommended acceptance of the Story-Wright bid.

Smith moved the City purchase the Sharp 826 copier at a price of $4,175.00 from Story-Wright of Lufkin,
With a maintenance contract for $600.00 per year with the same company. Second by Pavlic.

Voting Yes: Smith, Pavlic, Simms, and Ingram.

The City Manager reported that Mr. G.B. Treadway had requested this item be removed. Discussion of Livestock ordinance was placed on the agenda at Mr. Treadways request.

Pavlic moved adjournment to executive session. Second by Ingram.

Voting Yes: Pavlic, Ingram, Smith, & Simms.

Voting No: None

Simms moved to adjourn meeting. Second by Ingram.

Voting Yes: Simms, Ingram, Smith, & Pavlic.

Voting No: None

C. H. Shepherd Jr
MAYOR

ATTEST:

Vernon Cupit
City Manager