

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 6TH DAY OF JULY, 1971, AT 7:30 P. M.

On the 6th day of July, 1971, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the regular meeting place of said City, with the following members thereof, to-wit:

Pitser H. Garrison	Mayor
Roy L. Leamon, M.D.	Commissioner, Ward No. 1
J. T. Hopson	Commissioner, Ward No. 2
Kenneth R. Crain	Commissioner, Ward No. 3
Edgar C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
B. E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Lynn Durham	City Secretary

being present, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. Charles S. McIlveene, Pastor of First Baptist Church, Lufkin, Texas. Mayor Garrison thanked Rev. McIlveene for his participation and invited him to remain for the entire meeting or to leave as he so desired.

2. Mayor Garrison welcomed several visitors in attendance and expressed his appreciation for their presence.

3. Approval of Minutes

Comm. J. T. Hopson made motion that minutes of regular meeting of June 15, 1971, be approved. Motion seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous affirmative vote was recorded.

4. Amendment of Sub-Division Ordinance

City Attorney Flournoy read caption of Ordinance amending present Sub-Division Ordinance #1170 covering revisions in charges for plats, including administrative approval by the City Planning and Zoning Commission. City Attorney Flournoy stated that Ordinance was corrected per instructions in previous meeting of Sections 5f and 7. Mayor Garrison stated that the proposed charge of \$25.00 for administrative approval seemed a little too high. This matter was discussed in considerable detail and it was the concensus of some of the City Commission members that if the plat of a dedicated Sub-Division had already been approved by the City Planning and Zoning Commission covering area of land and filed in the County Clerk's office, that no additional charge should be made. City Manager Westerholm stated that this proposed Ordinance had been recommended by the City Planning and Zoning Commission to prevent the indiscriminate use of land, such as one lot being cut into two lots, etc., without approval. It was the decision of the City Commission that this proposed Ordinance amending present Sub-Division Ordinance be returned to the City Planning and Zoning Commission for clarification of its application and a more specific definition regarding tracts already approved and filed in the County Clerk's office and Comm. Roy L. Leamon, M.D., made motion to this effect. Motion seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

5. Zone Change Application - Hershel F. Ezell from R-1 District to A District, Covering Property Located South of Pershing, East of Southwood (Bynum) and Adjoining Three Sides of Parkview Baptist Church Property.

City Attorney Flournoy read Ordinance covering the above proposed zone change. Curtis W. Fenley, Jr., Attorney, and Mr. Ezell were present and were questioned in some detail by the City Commission members. Mayor Garrison stated that this zone change application had been considered by the City Planning and Zoning Commission in two separate meetings of May 27 and June 3, 1971, and was recomm-

ended for approval by the City Commission. Comm. E. C. Wareing made motion that Ordinance covering the above zone change be passed on first reading as recommended by the City Planning and Zoning Commission. Comm. W. O. Ricks, Jr., seconded the motion and a unanimous affirmative vote was recorded.

6. Undesirable Movies

City Attorney Flournoy called attention to proposed Ordinance, copy of which he had previously submitted for study to members of the City Commission, covering restrictions on and licensing of movie houses. After being in contact with City Attorney of Pasadena, Texas, City Attorney Flournoy stated that in his opinion, the showing of "R" and "X" rated movies could not be restricted to certain days of the week because of constitutional problems. No action was taken by the City Commission at this meeting.

7. Entrance Structure to Ellen Trout Lake & Zoo Area

City Manager Westerholm presented plat showing entrance structure to Ellen Trout Zoo area to be constructed and financed by the Trout family and desired City Commission approval before advising the Trout family to proceed with construction of such entrance at no expense to the City. Some discussion developed and Comm. W. O. Ricks, Jr., in particular, desired that the construction be of sufficient width to take care of heavy traffic. Comm. Roy L. Leamon, M.D., made motion that City Commission approve the entrance layout submitted by City Manager Westerholm to be constructed at no cost to the City by the Trout family. Comm. Kenneth R. Crain seconded the motion and a unanimous affirmative vote was recorded.

8. Request for Water Service on Homer-Alto Road by R. H. Duncan & Other Residents for City Water

City Manager Westerholm stated that this request by Mr. R. H. Duncan and other residents had been previously denied by the City Commission but he thought the previous discussion by the City Commission also left the item open in case Mr. Duncan was unable to secure water from the Water District in the area. City Manager Westerholm further stated that it was his understanding from Mr. Duncan that the Water District could not furnish sufficient water unless a new well was drilled, which it did not desire to do. However, he further stated he did not have a letter in writing to this effect from the Water District. Comm. E. C. Wareing made motion that no action be taken on this latest request until City Manager Westerholm procures a letter from the Water District showing it would be unable to furnish water to Mr. Duncan and other residents and the reasons therefor. Motion was seconded by Comm. Roy L. Leamon, M.D., and before vote was taken, some discussion, which was led by Comm. B. E. Atkinson, Jr., M.D., was had regarding the looping of an 8" water line in the area. Vote on the above motion and second was unanimous in the affirmative.

Mrs. B. F. Daniel and her son-in-law, residents in the above area, were present and Mrs. Daniel requested permission to tie on to the City line, which she stated was approximately 188 feet from her property. Comm. Kenneth R. Crain made motion that authorization of extending water service from the City line to Mrs. Daniel's property, be granted, the cost of which to be borne by her. Comm. B. E. Atkinson, Jr., M.D., seconded the motion and a unanimous affirmative vote was recorded.

9. Traffic Flow

City Manager Westerholm stated he had received two letters from Cities regarding work done by Wilbur Smith & Associates on traffic surveys which were performed therein; namely, Greensboro and High Point, North Carolina. These letters indicated this firm did a satisfactory job. It was noted in the quotations received on such traffic survey, for the City of Lufkin would cost from \$16,000 to \$22,000 and the City Commission members were definitely against a

survey of this cost magnitude, it being the opinion that \$7,500 would be sufficient for a traffic and parking survey in the downtown area and Comm. E. C. Wareing made motion that City Manager Westerholm be instructed to discuss this project with representatives of Henningson, Durham & Richardson, Inc., the City's consulting engineers and ascertain how much the City could expect from a survey of this nature for \$7,500. Motion was seconded by Comm. Kenneth R. Crain and a unanimous affirmative vote was recorded.

10. Vumore TV Cable Operations

City Manager Westerholm stated per instructions from City Commission at previous meeting, had contacted and received two quotations for survey of service being rendered by Vumore Company in their present TV Cable operations; namely, Merl Saxon, Lufkin, Texas, and Wayne McKinney, Tyler, Texas, (already withdrawn). He stated Mr. Saxon would do the job for \$150 per day plus traveling expense and which should be completed in two or three days. Discussion among the City Commission members developed that Mr. Saxon was an expert in this field, having previously worked for the FCC. Comm. Kenneth R. Crain made motion that the City employ Mr. Merl Saxon per his quotations to make the above survey of Vumore TV Cable operations. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous affirmative vote was recorded.

Comm. Roy L. Leamon, M.D., called attention to minutes of previous meeting wherein it was noted that Vumore Company had not made application for two new micro-wave channels with the FCC. Mayor Garrison gave explanation for this as reported by Vumore Company. City Manager Westerholm was instructed to write letter to the FCC to ascertain if this application had now been made.

11. Proposed Curb & Gutter - Wildbriar

City Manager Westerholm presented petition from property owners on Wildbriar to curb and gutter their street per previous policy adopted by the City and stated an Ordinance should be prepared by City Attorney Flournoy covering details of such curb and gutter work. City Attorney Flournoy was instructed to prepare such Ordinance for consideration at next meeting.

12. Plastic Garbage Bags

Comm. J. T. Hopson thought that provision should be made by the City to sell plastic garbage bags at the drive-in window instead of customers having to come into the office to make such purchase. City Manager Westerholm was instructed to make provisions to handle the sales at the drive-in window as a courtesy to the customers.

13. Property Owners in Newly Annexed Area Near Loop 287

Comm. B. E. Atkinson, Jr., M.D., commented on the petition signed by property owners living within the immediate area of Loop 287, copy of which had been furnished to the City Commission by City Manager Westerholm wherein they requested reconsideration of recent tax evaluation of the property they owned. He and Comm. J. T. Hopson were of the opinion that some of the signatures on the petition were not property owners and thought this should be checked against tax rolls. City Manager Westerholm will follow through on this item.

14. Up-Dating Maps of City of Lufkin

Comm. E. C. Wareing stated that when present Budget was worked up, \$10,000 was included for the first stage of up-dating of Sectional City Maps; however, this amount was later taken out of the Budget. Since the City is now in a better financial condition, would recommend that the present Budget be amended and \$10,000 be approved for the up-dating of Sectional Maps of the City of Lufkin. The City Commission was in agreement with this recommendation and Comm.

E. C. Wareing made motion that the present Budget be amended in the amount of \$10,000 and that this amount be applied from unallocated funds for the above up-dating of City maps. Comm. W. O. Ricks, Jr., seconded the motion and a unanimous affirmative vote was recorded.

15. Swimming Lessons - City Pools

Comm. Roy L. Leamon, M.D., stated it was his understanding that it had been the practice in the past for individuals to give private swimming lessons at City pools, but that this practice had been discontinued. City Manager Westerholm will check and determine if this is the case.

16. July 4th Festival Sponsored by City Parks Department

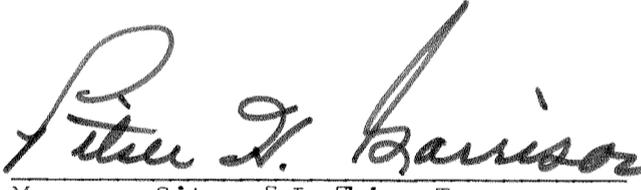
Mayor Garrison called attention to report of Max Griffin, Director of Parks & Recreation, on the 4th of July Festival held at Ellen Trout Park, which was a complete success. Mr. Griffin stated an estimated 8,000 to 10,000 people participated and that the City would net several hundred dollars over expenses from proceeds of this festival.

17. Request for Sponsorship of Carnival

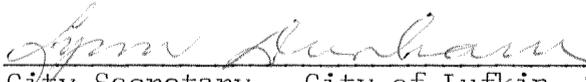
Mayor Garrison read letter from Mr. Thomas Baggett, President of Lufkin CB Radio Club, Inc., addressed to City Manager Westerholm requesting City Commission approval for his organization to sponsor a carnival, the 20th Century Schaffer Shows, on the Texas National Bank property during the period September 20 through 25, 1971. City Manager Westerholm was instructed to advise Mr. Baggett that this requires an application for a zone change for Special Use, as covered in the Zoning Ordinance.

18. Adjournment

There being no further business for consideration, meeting was adjourned at 9:30 P.M.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas