

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

On the 7th day of October, 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
Edgar C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Lynn Durham	City Secretary

being present, and

Kenneth R. Crain	Commissioner, Ward No. 3
B. E. Atkinson, Jr., M.D.	Commissioner at Large, Place B

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

1. Meeting opened with prayer by Rev. Dewey Underwood, Chaplain of Memorial Hosp., Lufkin, Texas, who was thanked by Mayor Garrison for his presence and participation.
2. Mayor Garrison welcomed visitors who were present in as observers or in connection with items on the agenda.

3. Approval of Minutes

Comm. J. T. Hopson made motion that minutes of regular meeting of September 20, 1971, be approved. Motion seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

4. City Commission Membership - Joe E. Rich

Mayor Garrison stated that in accordance with agreement of the City Commission, he was recommending the appointment of Mr. Joe E. Rich as a member of the City Commission, Ward No. 3, in place of Comm. Kenneth R. Crain, who removed himself from the office due to moving outside of the City. Comm. W. O. Ricks, Jr., made motion that Mr. Joe E. Rich be appointed to the position of Commissioner of Ward No. 3 in place of Mr. Kenneth R. Crain in accordance with provisions of City Charter. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded. Mr. Rich, who had previously agreed to accept the above position on the City Commission, was present and was congratulated by the Mayor and other members of the City Commission for his acceptance and appointment. At this point, Mayor Garrison gave Mr. Rich the oath of office and he immediately assumed his position as a member of the City Commission of Ward No. 3.

5. Annexation - Tract #1 Covering Property Lying West of Loop 287 Between FM 1271 and Wooded Acres Addition

City Attorney Flournoy read caption of Ordinance for consideration of second reading covering annexation of the above property. There were no persons present to object to the annexation and Comm. E. C. Wareing made motion that Ordinance be passed on second reading covering the annexation of the property. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

6. Annexation - Tract #3 Covering Property Lying Southwest of Intersection of Loop 287 and U. S. Highway 59 South

City Attorney Flournoy read caption of Ordinance for consideration of second reading covering the above property. There were no persons present to object to the annexation and Comm. W. O. Ricks, Jr., made motion that Ordinance be passed on second reading. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

7. Lufkin Telephone Exchange, Inc., Rates - Repeal of Ordinances

City Attorney Flournoy read caption of Ordinance covering repeal of Rate Ordinance #953 dated October 3, 1957, and Rate Denial Ordinance #1407 dated March 17, 1970, for second reading. Comm. Roy L. Leamon, M.D., made motion that Ordinance repealing the above telephone rate ordinances be passed on second reading. Motion seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

8. Lease of Property for Landfill Operations - From Charles Marberry

City Attorney Flournoy stated that he and City Manager Westerholm had been in consultation with Mr. Charles Marberry with regard to working out proper lease on approximately 20 acres of land which had been offered to the City by Mr. Marberry practically free of cost for the City's use as a future landfill location. City Attorney Flournoy stated that a lease agreement had been written up covering, among other things, that the original elevation of the property shall be increased by the City to an elevation not less than one (1) foot lower than the elevation of Mr. Marberry's residence and that a minimum of 24 inches of soil shall overlay the refuse. Also, the City agrees to furnish water free of charge to Mr. Marberry in an amount not to exceed 10,000 gallons per month, so long as lease is in effect. Some discussion developed and it was the recommendation of City Manager Westerholm and City Attorney Flournoy that the City take advantage of Mr. Marberry's offer of leasing this land for the City's use as a landfill operation. Comm. W. O. Ricks, Jr., made motion that the recommendation of City Attorney Flournoy and City Manager Westerholm be approved and that Mayor Garrison be authorized to sign the lease agreement on the part of the City. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

9. Up-Grading City Maps

City Manager Westerholm called attention to previous authorization given for up-dating maps of the City of Lufkin and that he had been in contact with two firms who do this type of work, and secured following prices for such work:

<u>Company</u>	<u>Project</u>	<u>Unit Cost</u>
Buce & Associates, Inc. Dallas, Texas	Aerotriangulation	\$6,755.00
"	Maps (137 Acres each)	276.00 ea.
International Aerial Mapping Company San Antonio, Texas	Aerotriangulation	\$5,775.00
"	Maps (137 Acres each)	268.52 ea.

City Manager Westerholm stated after studying the proposals and making a check on the type of work performed by these companies, would recommend the service of International Aerial Mapping Co. of San Antonio to perform this up-dating of maps. Comm. E. C. Wareing made motion that the low bid of International Aerial Mapping Co. of San Antonio be awarded the bid for up-dating maps within a figure of \$10,000 recently approved by the City Commission. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

10. Work Order Change - Henningson, Durham & Richardson, Inc.

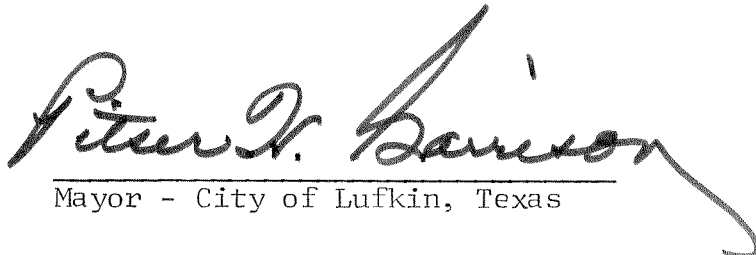
City Manager Westerholm stated that a Work Order agreement with Henningson, Durham & Richardson, Inc., was previously approved by the City Commission covering the design of a new sewer plant on the Gibson site; however, since the City of Lufkin has now changed the location of the new sewer plant to the Basham site, it was necessary to approve a new Work Order covering the design of this new sewer plant on the Basham property. Some discussion developed and at Mayor Garrison's suggestion, which was concurred in by City Commission members, no action was taken until further study could be given and same will be placed on the agenda for next regular meeting.

11. Sale of Fireworks Within City Limits

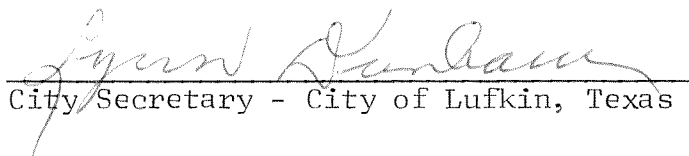
Mayor Garrison stated that Mr. Hubert Dorsett had talked with him regarding sale of fireworks on his property, which was recently annexed to the City of Lufkin. Mayor Garrison stated that present Ordinance by the City prohibited the sale of fireworks within the City Limits and Mr. Dorsett stated that he had invested considerable money on fireworks in anticipation of sales during coming holidays and desired some consideration by the City Commission, if possible, for the sale of these fireworks. After some discussion, Comm. E. C. Wareing made motion that present Ordinance be amended to prohibit the sale of fireworks within the City of Lufkin and within 500 feet of the City Limits, but the prohibition against the sale of fireworks shall not become effective in an area annexed to the City until the expiration of six (6) months from the date of annexation and the prohibition against sale of fireworks within 500 feet of the City Limits shall not become effective until six (6) months after the final passage of this amended Ordinance. Motion seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

12. Adjournment

There being no further business for consideration, meeting was adjourned at 8:05 P.M.


Peter D. Garrison
Mayor - City of Lufkin, Texas

ATTEST:


Lynn Sandau
City Secretary - City of Lufkin, Texas