

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 16TH DAY OF FEBRUARY, 1971, AT 7:30 PM

On the 16th day of February, 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. Bob Lewis, Pastor of the First Assembly of God Church, Lufkin, Texas. Mayor Garrison thanked Rev. Lewis for his participation and invited him to remain as long as he so desired.
2. Mayor Garrison welcomed a large group of visitors who were present at the meeting in connection with items on the agenda or as observers.
3. Approval of Minutes

Comm. Kenneth R. Crain made motion that minutes of regular meeting of February 2, 1971, be approved as written. Comm. B. E. Atkinson, Jr., M.D., seconded the motion and a unanimous affirmative vote was recorded.

4. Lufkin Telephone Exchange - Rate Increase

Mayor Garrison stated that at previous meeting instructions were issued that this item be on the agenda for this meeting in order to make a definite decision, one way or the other, on request for rate increase by the Lufkin Telephone Exchange, Inc. Mr. Larry Ross and a number of other officials and employees of the telephone company were present. Mr. Ross furnished some additional information on expenses, etc., incurred by his company. After a short discussion, Comm. W. O. Ricks, Jr., stated that since the City had been unsuccessful with negotiations with the Lufkin Telephone Exchange, Inc., made motion that the City reject their request for rate increase. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded. Mayor Garrison stated that he regretted the City was unable to grant the request, but felt that the information furnished did not justify the City granting such request for increase. He further stated that the present rate structure would come up for consideration again in 1973 at the expiration of the franchise and more consideration would possibly be given at that time. Mr. Ross thanked the City Commission for their work and study on the request for rate increase and advised that the Lufkin Telephone Exchange, Inc., fully realized their responsibility to furnish better service, etc., for the City of Lufkin and Angelina County and dedicated their future work to this aim.

5. Plumbing Code

City Attorney Flournoy read caption of ordinance covering proposed new Plumbing Code for second reading. Comm. Roy L. Leamon, M.D., made motion that ordinance be passed on second and final reading. Motion seconded by Comm. Kenneth R. Crain. Before vote was taken, however, there were a number of inquiries by Comm. B. E. Atkinson, Jr., M.D., regarding water pipe sizes, meter taps, etc. These details were discussed in considerable detail after which, the vote was unanimous in favor of second reading of the ordinance. City

Attorney Flournoy stated that ordinance would go into effect within ten (10) days after publication in newspaper since the Ordinance had a penal provision.

6. Zoo Ordinance

City Attorney Flournoy read caption of ordinance covering rules and regulations for Ellen Trout Zoo and stated same was for consideration of second reading. Comm. Kenneth R. Crain made motion that ordinance be passed on second reading. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded. City Attorney Flournoy stated ordinance would go into effect within ten (10) days after publication in newspaper since same was Penal Ordinance.

7. Request of B & M Vending Co. to Re-Open Pool Hall

Mr. Walter L. Borgfeld, Jr., Attorney, along with Mr. J. B. Morton, were present to request City Commission to allow re-opening of Pool Hall at 209 North First Street by Mr. Morton that was closed by the Police Department approximately a month ago due to violation of local Ordinance and State Laws. Mr. Borgfeld, speaking in behalf of Mr. Morton, stated that his client desired to re-open the premises until the present permit expired on June 20, 1971, due to investment involved. City Manager Westerholm gave background on the permit which had been issued in error due to not being in proper zone, and that Mr. Morton had been advised that same would not be re-issued at expiration date. Chief of Police Schamerhorn was present and gave detail of law violations that brought about the closing of the Pool Hall and Mayor Garrison read from ordinance reasons for revocation of license by the City Commission for certain violations, if desired, and also read petition signed by 29 people in the area, addressed to the City Manager, requesting that Pool Hall not be re-opened. Discussion brought out that the closing of the Pool Hall was not by the City Commission and that possibly Mr. Morton should have some consideration for continuation until a new site could be found. However, it was the general reaction of the City Commission that the Pool Hall should have been operated strictly in accordance with City Ordinance and State Laws. Comm. B. E. Atkinson, Jr., M.D., made motion that the City Commission deny the request of B & M Vending Co. to re-open the Pool Hall at 209 North First Street. Motion was seconded by Comm. Kenneth R. Crain and a unanimous affirmative vote was recorded.

8. Electrical Code

City Attorney Flournoy read caption of ordinance covering proposed new Electrical Code for the City of Lufkin covering licensing of Electricians (contractor and industrial) setting fees, etc. The City Commission had a general discussion of the proposed new ordinance, which brought out that if code was passed, it would adopt the National Electrical Code with all provisions. Comm. Roy L. Leamon, M.D., made motion that ordinance be passed on first reading. Motion seconded by Comm. Kenneth R. Crain. There were several Electricians present in the audience and Dan Davidson, in particular, opposed passage of ordinance in its present form and cited his reasons, therefor. Mayor Garrison requested Mr. Davidson to make his desires known by writing to the City Manager, who in turn, could furnish copy to City Commission members prior to second reading. The most serious discussion developed regarding licensing of master electricians, who do contract work and electricians employed by industrial companies. At this point, Comm. Roy L. Leamon, M.D., withdrew his previous motion, since he thought the Code should be worked out and agreed upon before passage, and Comm. Kenneth R. Crain withdrew his second. Comm. Kenneth R. Crain made motion that ordinance adopting new Electrical Code be passed on first reading. Motion seconded by Comm. E. C. Wareing and the following vote was recorded:

Voting Aye: Mayor Pitser H. Garrison
Comms. J. T. Hopson
B. E. Atkinson, Jr., M.D.
Kenneth R. Crain
E. C. Wareing
W. O. Ricks, Jr.

Voting Nay: Comm. Roy L. Leamon, M.D.

Mayor declared motion carried by majority vote and before second reading, there should be sufficient information available to assist the City Commission in determining exact provisions that would be included therein.

9. Awarding of Bids - Cleaning & Painting - Water Tanks

City Manager Westerholm stated had received bids on cleaning and painting of one million-gallon ground storage tank and one 500,000 gallon elevated storage tank as follows:

<u>Bidders</u>	<u>Items</u>	<u>Amount Per Item</u>	<u>Total Bid</u>
Barco Painting, Inc. Houston, Texas	1,000,000 Gal. Ground Storage	\$5,867.00	\$13,747.00
	500,000 Gal. Elevated Storage	\$7,880.00	
Nat'l Tank Maint. Corp. Des Moines, Iowa	1,000,000 Gal. Ground Storage	\$4,250.00	\$10,600.00
	500,000 Gal. Elevated Storage	\$6,350.00	
McCrea Water Tower Maintenance Repair Atalissa, Iowa	1,000,000 Gal. Ground Storage		\$15,995.00
	500,000 Gal. Elevated Storage		

and recommended that bid be awarded to National Tank Maintenance, Inc., of Des Moines, Iowa, in the amount of \$10,600.00 same being lowest bid and stated that we have a maintenance contract with this company at this time on two other tanks. Some discussion was had on inspection of work and it was determined that the City does not have an Inspector available. Comm. Kenneth R. Crain made motion that bid be awarded to National Tank Maintenance Corp., Des Moines, Iowa, as recommended by City Manager Westerholm, and that a professional Inspector be employed to inspect the work. Comm. B. E. Atkinson, Jr., M.D., seconded the motion and a unanimous affirmative vote was recorded.

10. Awarding Bid on Monitor Receiver and One Mobile Unit

City Manager Westerholm stated had received following bids on the above equipment:

<u>Bidders</u>	<u>Items</u>	<u>Amount Per Item</u>	<u>Total Bid</u>
Motorola Communications & Electronics, Inc.	1 Monitor Receiver	\$125.00	\$964.00
	1 Mobile Unit	\$839.00	
General Electric Co.	1 Monitor Receiver	\$149.00	\$966.87
	1 Mobile Unit	\$817.87	

City Manager Westerholm recommended that bid be awarded to Motorola Communications & Electronics, Inc., for this receiver and unit in the amount of \$964.00. Comm. Kenneth R. Crain made motion that bid be awarded to Motorola Communications & Electronics, Inc., per recommendation of City Manager Westerholm in the amount of \$964.00. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous affirmative vote was recorded.

11. Southern Standard Building Code - Bonds

City Manager Westerholm stated that the City of Lufkin was not enforcing Section 106.2 of the Southern Standard Building Code, which requires all general contractors doing business in Lufkin to be bonded. He was instructed by the City Commission to see that provisions of the Southern Standard Building Code was enforced in every respect.

12. Est. #4 - Moore Bros. Covering Resurfacing of Streets

City Manager Westerholm stated would like approval to pay Moore Bros. Const. Co. for their Est. #4 covering street resurfacing work in the amount of \$13,110.85. Comm. Roy L. Leamon, M.D., made motion that this approval be granted by the City Commission. Motion seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

13. Proposed Water Requirements for the State School

City Manager Westerholm read letter from Mr. W. W. Beaver, Superintendent of Lufkin State School, regarding present water situation at the State School wherein their present consumption was 125,000 gallons per day which would be sufficient for seven to ten years, but in considering future anticipated expansion, their estimate of water consumption would approximate 250,000 gallons per day of treated water. Mr. Beaver requested City Commission to include this proposed consumption in the long-range water plans for the City of Lufkin and that the City of Lufkin furnish the Texas Department of Mental Health & Mental Retardation, Austin, Texas, with details of the City's future plans when same were officially formulated. After some discussion, Comm. Roy L. Leamon, M.D., made motion that minutes of this meeting reflect the request of the Lufkin State School and that the City Commission, at the favorable recommendation of the City Manager, was in agreement to consider this request in their long-range water plans. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

14. Request of Lufkin Council for Retarded Children for Sheltered Workshop

City Manager Westerholm read letter from Mr. Doug Nicholson, Director of the Lufkin Workshop and Opportunity Center, Inc., regarding an active "Sheltered Workshop" in the City of Lufkin. He requested letter of support which would be of assistance to him in securing same. Mayor Garrison stated he had already been approached on this matter and had personally written a letter of endorsement of such "Sheltered Workshop". Comm. E. C. Wareing made motion that the City Commission go on record as approving Mayor Garrison's action in writing this letter of endorsement of the "Sheltered Workshop". Comm. Kenneth R. Crain seconded the motion and a unanimous affirmative vote was recorded.

15. Plastic Garbage Bags

City Manager Westerholm called attention to an article covering Texas Legislature Records regarding the use of plastic bags by the City of Lufkin for disposal of garbage.

16. Presentation of Plat Covering Extension & Relocation of Streets

City Manager Westerholm presented a plat covering proposed Hill Street extension and relocation of Franklin Street from Lotus Lane to Frank Avenue and from Frank Avenue to Franklin Street, which would require the acquisition of Right-of-Way by the City. He stated this was a matter of information for the City Commission and that the item was being worked on.

17. Dog Leash Law

Comm. W. O. Ricks, Jr., inquired as to progress being made by City Attorney Flournoy on leash law covering dogs for the City of Lufkin. City Attorney Flournoy stated would prepare ordinance and furnish copy to members for study as previously instructed.

18. Litter Along Streets

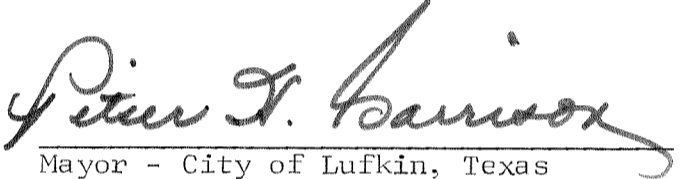
Comm. J. T. Hopson called attention to the amount of litter accumulated on the streets of Lufkin. City Manager Westerholm stated that we have an ordinance covering such matters and as often as the Police Department caught violators, they would be punished under such ordinance.

19. Clean-Up - Roads & Streets Entering the City of Lufkin

Comm. B. E. Atkinson, Jr., M.D., called attention to the good work being done by the Lufkin Junior High School students in the clean-up of beer cans, and other litter along the roads and streets leading into the City and made motion that a resolution be passed by the City Commission commending these students for this very important work. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded. City Attorney Flournoy will prepare resolution accordingly.

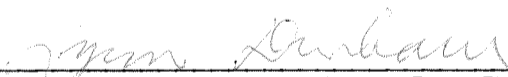
20. Adjournment

There being no further business for consideration, meeting was adjourned at 9:40 P. M.



Mayor - City of Lufkin, Texas

ATTEST:



City Secretary - City of Lufkin, Texas