

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 2ND DAY OF MARCH, 1971, AT 7:30 P. M.

On the 2nd day of March, 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. Wylie McLain, Pastor of the First Congregational Methodist Church, Lufkin, Texas.
2. Mayor welcomed a large group of visitors who were present and expressed appreciation for their presence, which showed an interest in City affairs.

3. Annexation of Property - Hearing

Mayor Garrison called an open hearing on possible annexation of property on last portion of Loop 287 between U. S. Highway 59 North and Kurth Drive shown on map which was published in Lufkin News on February 14, 1971, as Tract #1 and Tract #2. There was only one citizen, Mr. T. H. Stone of 1907 Sayers Street, present who desired information as to just what his situation would be with regard to increase in taxes, services, etc., if annexed. Mayor Garrison explained briefly information on taxes, services, etc., and City Manager Westerholm requested Mr. Stone to come by his office and he would give him detailed information desired. At this point, there being no other persons present to speak on the proposed annexation, Mayor Garrison called hearing to a close at 7:40 P. M.

4. Annexation of Property - Ordinance

City Attorney Flournoy read ordinance for first reading covering annexation of the territory discussed in hearing above. After some discussion, Comm. Kenneth R. Crain made motion that ordinance covering annexation of the above described area be passed on first reading. Motion seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

5. Approval of Minutes

Comm. Kenneth R. Crain made motion that minutes of regular meeting of February 16, 1971, be approved. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

6. Electrical Code

City Attorney Flournoy read caption of ordinance for second reading adopting the proposed new Electrical Code. Mr. George B. Gribble, Manager of Owens-Illinois, Inc., was present and desired to be heard regarding this proposed new Electrical Code and stated he had only received word about its proposed passage this afternoon and asked a number of questions as to why the rush in passing such an ordinance since it would certainly affect local industry. He stated further that he wanted it definitely understood that he was not against the ordinance but certainly thought those industries affected should have the opportunity of studying the ordinance before passage. Comm. E. C. Wareing explained that this ordinance had been studied and worked on for approximately two years and thought it would up-date

present ordinance which was passed in 1935 and which had no control over electrical work in industrial plants. After a considerable amount of further discussion, it was the decision of the City Commission that passage of this ordinance on second reading would be held in abeyance until next regular meeting and instructions were issued that City Manager Westerholm mail copies of the proposed ordinance to all local industries with a request that they furnish any comments they might have in writing by Thursday, March 11, 1971.

7. Zone Change Application - E. J. Finley

City Attorney Flournoy read ordinance for first reading covering zone change application of E. J. Finley from R-1 District to LB District on 0.5393 acre tract of land bounded on the East side by South First Street and on the West side by Raguet Street. Mayor Garrison stated that zone change application was considered by the City Planning and Zoning Commission, which was unanimously recommended for approval by this Commission as set out in letter from City Secretary, which had a provision that a 25 foot buffer zone remain in R-1 District along South Raguet Street on the West and South side of property. Mr. Wilbur Alexander, CPA, was present and stated his concern would construct an office building thereon if zone change was approved. He was questioned by the City Commission members with regard to improving on the traffic situation at the point of the property by squaring up the curve. Mr. Alexander stated he was sure this could be arranged and he would discuss this with City Manager Westerholm later and work out the details. Comm. W. O. Ricks, Jr., made motion that ordinance be passed on first reading. Motion seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

8. Zone Change Application - Dr. Jack Pruitt & Others

City Attorney Flournoy read caption of ordinance by Dr. Jack Pruitt and Others from LB District to C District on portion of J. L. Quinalty League, Abstract 40, located on North side of Frank Street from Franklin to Bynum. Mayor Garrison stated that according to information received from the City Planning and Zoning Commission zone change was recommended for approval but there had been considerable discussion previously on re-zoning this property. Mr. Sumner Williams, Attorney, and Dr. Pruitt were present and Mr. Williams went into considerable detail on the efforts made by Dr. Pruitt in getting his property only, re-zoned on another occasion which was not recommended for approval by the City Planning and Zoning Commission at that time and variance was not granted by two Boards of Adjustment and Appeals before whom he had been authorized to appear. This zone change application was discussed in great detail by the City Commission members and Dr. Pruitt, who gave his reasons for desiring same in order to enlarge upon his present building which would necessitate, if zone change was allowed, to move same closer to Frank Street. Comm. Kenneth R. Crain stated that if zone change was approved by the City Commission, it would open the area up for undesirable businesses, which would be in the immediate rear of a nice residential area, and if it was ever again necessary to widen Frank Street, there would not be sufficient area in front of Dr. Pruitt's office. He then made motion that the City Commission disapprove the zone change application. Comm. E. C. Wareing seconded the motion and the following vote was recorded:

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

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

Mayor declared motion carried by a vote of 6 to 1.

9. Zone Change Application - Lufkin Coca-Cola Bottling Co.

City Attorney Flournoy read caption of ordinance covering zone change from D District to C District by Lufkin Coca-Cola Bottling Co. on 0.32 acre, more or less, fronting 140 feet on North Angelina and 100 feet on Howe Avenue. Mayor Garrison stated that this application for zone change was also recommended for approval by the City Planning and Zoning Commission as reflected in letter from City Secretary. Mr. Oscar Dillahunty was present to represent the Lufkin Coca-Cola Bottling Co. Comm. W. O. Ricks, Jr., made motion that ordinance be passed on first reading. Motion seconded by Comm. Kenneth R. Crain and a unanimous affirmative vote was recorded.

10. Resolution Commending Students on Clean-Up in City

City Attorney Flournoy stated at last meeting instructions were issued that a resolution be prepared and passed by the City Commission commending Lufkin Junior High School Bank students in the clean-up of beer cans and other litter along the roads and streets leading into the City. He stated this resolution had been prepared by the Municipal Judge and read same for consideration. Comm. Roy L. Leamon, M.D., made motion that resolution be passed. Motion seconded by Comm. Kenneth R. Crain and a unanimous affirmative vote was recorded.

11. Leash Law

City Attorney Flournoy stated had prepared proposed Leash Law Ordinance as requested for future consideration by the City Commission. He stated he would make copies of this proposed Leash Law Ordinance and pass out to members for consideration at next meeting.

12. Amendment to Civil Service Rules for Fire & Police Employees

City Manager Westerholm advised that Civil Service Commission held a meeting on February 24, 1971, and adopted an amendment to Section 100, Eligibility for Promotion - Positions at Large, of Rule XV, Promotion, eliminating the position of Drillmaster in the Fire Department, as now set up and included in Personnel Rules for Employees of the Fire and Police Departments of the City of Lufkin, Texas, and replacing the position of Drillmaster with that of Assistant Fire Chief in charge of Training and Maintenance. He further stated that according to the Civil Service Rules, any change in rules must be concurred in by the City Commission within ten days after receiving request. City Manager Westerholm stated this matter had been discussed previously with the Fire Chief and all others concerned before adoption by the Civil Service Commission. He recommended approval by the City Commission. Comm. W. O. Ricks, Jr., made motion that the change in rules as adopted by the Civil Service Commission in meeting of February 24, 1971, as brought out above by City Manager Westerholm, be approved. Comm. Kenneth R. Crain seconded the motion and a unanimous affirmative vote was recorded.

13. Demolition of Old Buildings in Downtown Area

City Manager Westerholm gave the City Commission members breakdown of expenses and estimated salvage value of old buildings recently purchased by the City and demolished. He stated that an estimated \$5,000 in value over the expense in demolishing old buildings, which was done by City forces. He further stated that the lowest estimate received for demolishing these old buildings, not including the library, was \$9,500.00. Mayor Garrison and all City Commission members congratulated the City Manager and his staff for a job well done in demolishing these buildings and also stated had received favorable comments from architects and other people.

14. Purchase of Pipe Cleaning Machine for Sewer Dept.

City Manager Westerholm requested authority to acquire a pipe-cleaning machine costing approximately \$5,597.00, which was not in the budget but could start paying on a rental-purchase basis at \$280.00 per month and include it in next year's budget. After some discussion, Comm. W. O. Ricks, Jr., made motion that this authority be granted City

Manager Westerholm to acquire the machine on a rental-purchase basis to begin with and to include the balance in next year's budget. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

15. Payment of Invoice - Henningson, Durham & Richardson, Inc.

City Manager Westerholm requested authority to pay invoice #D-2276 when funds were available in the amount of \$2,854.08. He gave a breakdown on the amount already paid this Engineering firm and the outstanding invoices that have been approved for payment when funds were available, being a total of \$25,394.05. Comm. E. C. Wareing made motion that authority be granted to pay this invoice when funds were available. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

16. Youth Center

City Manager Westerholm passed out information he had received on the operation of the Youth Center for study by the City Commission members.

17. Petition for Pay Increase - Firemen & Policemen

Mayor Garrison read petition from the Police Department that was received on February 23, 1971, containing what appeared to be 1,239 signatures asking that an election be called for citizens to vote on minimum base salary of \$600 per month. He also read petition received this date from Firemen containing what appeared to be 600 signatures requesting an election be called for citizens to vote on minimum base salary of \$600 per month. City Attorney Flournoy stated that according to law, that the City Commission had 90 days to act on these petitions. Comm. Kenneth R. Crain made motion that ordinance be passed setting date of April 6, 1971, for Special Election on minimum increase salary for Firemen as requested by petition, and that same be passed on first and final reading by suspension of rules. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded. Comm. E. C. Wareing made motion that ordinance be passed setting date of April 6, 1971, for Special Election on minimum increase in salary for Policemen as requested by petition and that same be passed on first and final reading by suspension of rules. Motion seconded by Comm. Kenneth R. Crain and a unanimous affirmative vote was recorded. At this point Comm. Roy L. Leamon, M.D., stated he wanted it understood that in order to meet the expenses for such salary increases, if voted by the citizens, would entail a considerable amount of money, which would have to be borne by the citizens of Lufkin and might necessitate a tax increase on property. He stated that these departments were doing a good job, but he desired the people to know what the situation would be if the vote was favorable for the increase. Mayor Garrison and the other City Commission members stated that they certainly thought the people should know the facts as to what the situation would be if the pay increases were granted.

18. Parks & Park Improvements

Comm. Roy L. Leamon, M.D., made inquiry regarding proposed improvements in parks and the possible addition of a swimming pool.

19. Summer Water Rate

Comm. W. O. Ricks, Jr., requested City Manager Westerholm to check into the possibility of allowing a summer water rate this year. City Manager Westerholm will check and make recommendation at a later meeting.

20. Traffic Condition - Downtown Area and Near Schools

Mayor Garrison stated that traffic congestion in downtown area was in need of better control and movement and thought Policemen on foot should be assigned to try and remedy the situation. Comm. W. O.

Ricks, Jr., called attention to excessive speeding on Frank Street from Post Office toward downtown area. Comm. J. T. Hopson called attention to excessive speed in school zones all over the City. City Manager Westerholm will check with the Police Department on these traffic conditions.

21. Traffic Light - Angelina & Raguet Streets

Comm. W. O. Ricks, Jr., called attention to the traffic light at Raguet and Angelina that did not seem to be working properly, especially during school hours. Hayne Stokes, Public Works Director, stated this light had been checked after receiving this information and it was found to be working properly, but would keep a check on it.

22. Sewer Treatment Plant

Comm. B. E. Atkinson, Jr., M.D., stated that City Commission recently authorized no more payments to Henningson, Durham & Richardson, Inc., on sewer site work until authority to do so by the City Commission in the future. City Manager Westerholm will check into and advise status.

23. Paving Standards

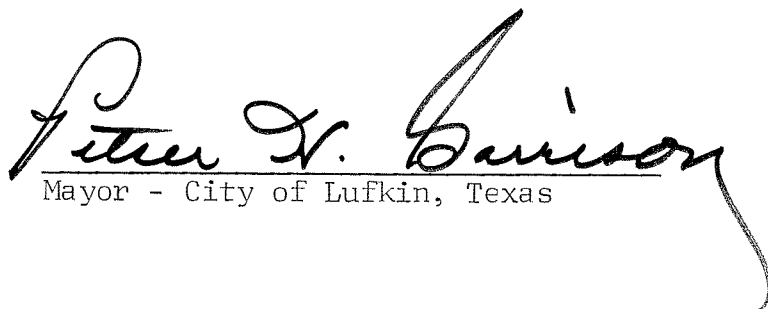
Comm. Kenneth R. Crain stated he understood the City Planning and Zoning Commission was working on recommended revisions to present paving ordinance and was wondering when this information would be available to the City Commission. City Manager Westerholm stated would probably be forthcoming soon since this was on the agenda for Special Meeting of the City Planning and Zoning Commission this coming Thursday.

24. Right-of-Way Deeds - Lotus Lane & Hill Street

Comm. E. C. Wareing inquired as to ROW deeds on Lotus Lane. Hayne Stokes, Public Works Director, gave desired information on the status of securing such deeds and stated was trying to acquire ROW for the extension of Hill Street but projects were not complete.

25. Adjournment

There being no further business for consideration, meeting was adjourned at 10:00 P. M.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas