

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 4TH DAY OF MAY, 1971, AT 7:30 P. M.

On the 4th day of May, 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
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, and

J. T. Hopson	Commissioner, Ward No. 2
Kenneth R. Crain	Commissioner, Ward No. 3

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

1. Meeting opened with prayer by Rev. A. D. Thomas, Pastor of the Goodwill Baptist Church, Lufkin, Texas. Mayor Garrison thanked him for his participation and invited him to remain for the entire meeting or to leave when he so desired.
2. Mayor Garrison welcomed a number of visitors who were present in connection with items on the agenda or as observers, which indicated an interest in the complex problems facing the City and the City Commission desired all the assistance it could get in trying to solve such problems.

3. Approval of Minutes

Comm. B. E. Atkinson, Jr., M.D., made motion that minutes of regular meeting of April 20, 1971, be approved as written. Motion seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

4. Paving Ordinance

City Attorney Flournoy read caption of ordinance for second reading amending present ordinances on street widths, paving specifications, curb & gutter construction, as well as drive-way construction. Mayor Garrison stated that consideration of this ordinance on second reading was brought forward from previous meeting in order that further study could be given to its provisions. Comm. B. E. Atkinson, Jr., M.D., stated that in comparing the provisions of the proposed ordinance with provisions of ordinance now in effect, had noted that under Section 3 (A) Residential Streets, that "Cul De Sacs and Loop Streets were shown to be not less than 27 feet back-to-back." He thought this would be lowering the standards on street construction due to narrowing of widths. After some discussion, it was suggested by the City Commission that this should be 30 feet back-to-back. Discussion was also had on Section 3 (B), Industrial Streets, and it was suggested that the widths of Industrial Streets be changed to 37 feet back-to-back instead of 33 feet. Comm. W. O. Ricks, Jr., made motion that ordinance be amended to include the above provisions, namely, "(A) Residential Streets, Cul De Sacs and Loops shall be not less than 30 feet back-to-back," instead of 27 feet and that "(B) Industrial Streets shall be not less than 37 feet back-to-back", instead of 33 feet and that same be passed on first and final reading and declaring an emergency. Motion seconded by Comm. E. C. Wareing and a unanimous (5) affirmative vote was recorded. City Attorney Flournoy stated that this was a Penal Ordinance and would not go into effect until ten (10) days after publishing in local newspaper.

5. Zone Change Application - Lufkin Industrial Foundation, Inc.

City Attorney Flournoy read caption of ordinance for second reading covering zone change requested in application of Lufkin Industrial Foundation, Inc., from LM District to LM District and Special Use covering 13.723 acres of land located on the South side of Lotus Lane and described by field notes in the ordinance. Comm. Roy L. Leamon, M.D., made motion that ordinance be passed on second reading. Comm. E. C. Wareing seconded the motion and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. E. C. Wareing
and Roy L. Leamon, M.D.

Voting Nay: Comms. B. E. Atkinson, Jr., M.D., and
W. O. Ricks, Jr.

Mayor Garrison stated that since the vote was 3 to 2 in favor of the motion and since a majority of 4 votes by the City Commission is necessary for a motion to carry, the motion failed to carry and same would be on the agenda for second and final reading in next regular meeting.

6. Zone Change Application - R. B. Thompson & E. Lynn Metteauer

City Attorney Flournoy read caption of ordinance changing zone from NR District to NR District and Special Use (Day Nursery) by above applicants covering property located on Pershing Avenue in the rear of the Texaco Station at Bynum and Pershing. There were no persons present to object to the change. Comm. E. C. Wareing made motion that ordinance be passed on second reading as recommended by the City Planning and Zoning Commission and described in ordinance by metes and bounds. Comm. Roy L. Leamon, M.D., seconded the motion and the following vote was unanimous (5) in the affirmative.

7. Zone Change Application - Dr. M. E. Matchett

City Attorney Flournoy read caption of ordinance changing zone from NR District to NR District and Special Use (Day Nursery) by above applicant covering Lot 6, Block 75 of the Original Townsite of Lufkin located at the corner of Douglas and Frank. There were no persons present to object to the change. Comm. W. O. Ricks, Jr., made motion that ordinance be passed on second reading. Comm. E. C. Wareing seconded the motion and a unanimous (5) affirmative vote was recorded.

8. Widening of Raguet Street Spur 339 from Abney Ave. to S. H. 94

City Manager Westerholm stated that State Highway Department recently passed Minute Order #64830 covering proposed widening of Raguet Street from Abney Avenue to State Highway 94 and the State Highway Department requested City Commission approval of resolution approving provisions of the above Minute Order. It was brought out in discussion that this project was a part of the State Highway Department's TOPICS Program. Comm. W. O. Ricks, Jr., made motion that the City Commission pass the resolution requested by the State Highway Department approving provisions of the Minute Order. Comm. E. C. Wareing seconded the motion and a unanimous (5) affirmative vote was recorded.

9. Proposed Neighborhood Park - Brandon Elementary School

City Manager Westerholm requested authority for the City of Lufkin to enter into an agreement with the Lufkin Independent School District for use of the Brandon Elementary School as a neighborhood park. Discussion was had on the area facilities involved after which Comm. Roy L. Leamon, M.D., made motion that the City enter into an agreement with the Lufkin Independent School District to use this property as a neighborhood park and that Mayor Garrison be authorized to execute such agreement. Comm. W. O. Ricks, Jr., seconded the motion and a unanimous (5) affirmative vote was recorded.

10. Legal Services-Renfro, Zeleskey, Cornelius, Rogers & Berry - Proposed Sewer Treatment Plant Site

City Manager Westerholm requested authority to pay legal services rendered by the above law firm for fees in the amount of \$2,571.20 in connection with legal work with regard to the proposed Sewer Treatment Plant Site. City Attorney Flournoy stated this law firm did an excellent job and charges were in line and recommended the charges be authorized for payment. Comm. W. O. Ricks, Jr., made motion that the payment of \$2,571.20 be authorized for payment. Motion seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous (5) affirmative vote was recorded.

11. Substandard Street Improvement Program

City Manager Westerholm recommended the adopting of a policy by the City for property owners to enter into a participation policy on improvement to old streets that are substandard and in need of repair. He recommended the following policy be established by the City of Lufkin: "Where property owners fronting on both sides of a substandard street petition the City, the City will at its convenience install curbs and gutters at a cost not to exceed \$2.50 per front foot. The City will, at its expense, install all drainage structures needed to properly drain the street and will pave the street between the new curbs in accordance with the specifications of the paving ordinance." City Manager Westerholm suggested a cost of \$2.50 per front foot covering installations of curbs and gutters. Discussion brought out that this cost might fluctuate and that the price should be \$2.50 per front foot for the remainder of 1971. Comm. W. O. Ricks, Jr., made motion that the above policy be approved and City Manager Westerholm authorized to put into force immediately. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous (5) affirmative vote was recorded.

12. Street Names

City Manager Westerholm recommended street names in area recently annexed between U. S. Highway 59 North to Kurth Drive including Ellen Trout Memorial Park. After studying the proposed map, Comm. W. O. Ricks, Jr., made motion that the new loop from U. S. Highway 59 North to Kurth Drive be named Ellen Trout Drive and that the street from this Drive to the Zoo be named Zoo Circle. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous (5) affirmative vote was recorded.

13. Proposed Site for New Swimming Pool

City Manager Westerholm presented recommendation for proposed site of new swimming pool by Max Griffin, Parks and Recreation Director. He stated that John E. Wilkins, III, Finance Director, had been in contact with the Federal Government for matching funds for construction of such new pool. Mr. Griffin's report stated that it was currently not feasible to make a definite recommendation on location of the new pool due to different categories for Federal matching funds that such a project might be classified under, such as Low to Moderate Income Area or High Density Population Area. He did recommend that Civic Club Park be the location for such new pool if it meets the Federal Government's requirements for matching funds. City Finance Director, John E. Wilkins, III, was present and stated definite information should be received soon from the Federal Government and recommended no action by the City Commission on approving a proposed site at this time. No action was taken by the City Commission and item will be held in abeyance.

14. Payment of Invoices - Henningson, Durham & Richardson, Inc.

Further discussion was had on City Manager Westerholm's previous request for authorization to pay Henningson, Durham & Richardson, Inc., invoices #D2297 for \$721.53, #D2298 for \$204.82 and #D2326 for \$497.45 when funds were available. City Manager Westerholm stated that these charges were in line with agreement between the City and the above

firm and Comm. Roy L. Leamon, M.D., made motion that authorization be granted to pay these invoices when funds were available. Comm. W. O. Ricks, Jr., seconded the motion and a unanimous (5) affirmative vote was recorded.

Comm. B. E. Atkinson, Jr., M.D., then made motion that before any outside services were rendered by Henningson, Durham & Richardson, Inc., that an estimate of cost be submitted to the City Commission for approval before such work could be started. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous (5) affirmative vote was recorded. Mayor Garrison requested City Manager Westerholm to advise Henningson, Durham & Richardson, Inc., of this action by the City Commission.

15. Fire Protection Facilities

Comm. Roy L. Leamon, M.D., called attention to recent letter from Fire Prevention & Engineering Bureau of Texas, Dallas, Texas, to City Manager Westerholm wherein recommendations were made for improving fire protection facilities in the City of Lufkin and inquired if any action was necessary by the City Commission. City Manager Westerholm stated no action was necessary but if such improvements were made, it would affect the fire insurance rate for the City.

16. Parking Area on Calder Square - Location of Demolished Buildings

Comm. Roy L. Leamon, M.D., called attention to the new parking area on Calder Square not having many occupants after a charge was put into effect to regulate parking on this lot. City Manager Westerholm stated that previous parking was by employees of downtown businesses who were again using Angelina Street for such parking.

17. Traffic Flow Pattern

A discussion was had on the flow of traffic in the whole downtown area and City Manager Westerholm was instructed to check into the possibility of getting a traffic engineering firm to make a study of the City of Lufkin and report back at a later date on cost of such survey of traffic flow.

18. Sewer Connections

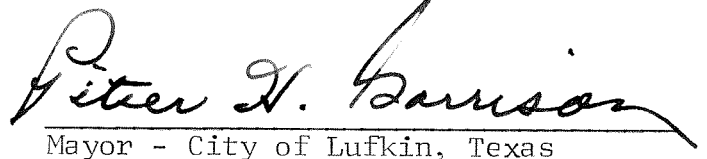
Comm. E. C. Wareing inquired as to enforcement of tie-ons to sewer facilities within the City Limits. Hayne Stokes, Public Works Director, stated that tie-ons were made each week in accordance with present ordinance and the City was laying additional lines each week to take care of potential customers.

19. Demolishing of Old Buildings

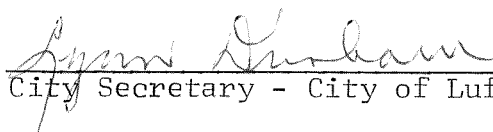
Comm. B. E. Atkinson, Jr., M.D., stated he had noticed a number of old buildings within the City that should be torn down and demolished. Leonard E. Bass, Building Inspector, who was present, stated this item was being followed through continuously.

20. Adjournment

There being no further business for consideration, meeting was adjourned at 9:00 P. M.


Peter H. Garrison
Mayor - City of Lufkin, Texas

ATTEST:


Lynn Durham
City Secretary - City of Lufkin, Texas