

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 18TH DAY OF SEPTEMBER, 1973, AT 5:00 PM

On the 18th day of September, 1973, 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
R. A. Brookshire	Commissioner, Ward No. 1
J. T. Hopson	Commissioner, Ward No. 2
Joe E. Rich	Commissioner, Ward No. 3
E. C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
E. G. Pittman	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	City Secretary

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

1. Meeting opened with prayer by Rev. Bill Hines, Pastor of Parkview Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed a large group of visitors who were present in connection with items on the agenda or as observers.
3. Approval of Minutes

Comm. E. G. Pittman made motion that minutes of regular meeting of September 4, 1973, be approved. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

4. Open Hearing - City Budget 1973-74 - Approval

Mayor Garrison stated that the City Budget had been published in the Lufkin News and opened meeting for comments from visitors. There were no suggestions for change or amendment presented by visitors. Mayor Garrison declared City Budget hearing closed and opened meeting for comments from City Commission.

Comm. W. O. Ricks, Jr., requested that the Budget for the upcoming fiscal year allocate certain monies for the correction of sewage problems near a trailer park on Whippoorwill Street. Estimated cost for correction of sewage problems within this area was determined to be approximately \$10,000, using gravity flow system. Mayor Garrison suggested that this improvement be considered payable out of the Contingency Fund for the 1973-74 Budget.

Comm. E. C. Wareing suggested that visitors present be made aware of the amount being considered in the new Budget for the coming year to show the magnitude of funds necessary to operate a City the size of Lufkin. Mayor Garrison briefly reviewed the Budget to visitors present and expressed the dedication of the City Commission not to increase taxes or cost of City services unless absolutely necessary.

Upon completion of review presented by Mayor Garrison, Comm. E. C. Wareing made motion that the 1973-74 Fiscal Year City Budget be approved as presented. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

5. Ordinance Levying Taxes & Providing for General Fund and the Interest & Sinking Fund

City Attorney Flournoy read caption of ordinance levying taxes and providing for General Fund and Interest & Sinking Fund. Comm. W. O. Ricks, Jr., made motion that ordinance be passed on first and final reading setting a tax levy on property, real and personal, of \$1.45 per \$100 valuation for the specific purpose of:

(1) For the maintenance and support of the general government (General Fund) \$1.1134 on each One Hundred Dollar (\$100.00) valuation of property, and

(2) For the Interest and Sinking Fund, (\$.3366) on each One Hundred Dollar (\$100.00) valuation of property to be apportioned as follows:

General Obligation	1959	
General Obligation		
Refunding Bond	1963	
Park Bond	1965	
General Obligation Bond	1965	
Civic Center Bond	1972	
Total		\$ .3244

Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

6. Appropriation Ordinance Adopting City Budget 1973-74

City Attorney Flournoy read caption of appropriation ordinance approving the Budget for the period beginning October 1, 1973, and ending September 30, 1974. Comm. J. T. Hopson made motion that Appropriation Ordinance as read by City Attorney Flournoy be passed on first and final reading approving the Budget for the period beginning October 1, 1973, and ending September 30, 1974. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

7. Angelina County Chamber of Commerce - Request to Activate Housing Authority

Mayor Garrison reviewed comments from last regular meeting regarding Angelina County Chamber of Commerce request to activate the Lufkin Housing Authority. Mayor Garrison explained that the City Commission members had obtained copies of the Housing Law Statute and examined various other actions of the City Commission regarding the Lufkin housing situation. Mayor Garrison explained that the City had previously completed action toward the implementation of the Housing Authority through passage of a resolution in October, 1969, finding and declaring a need for Housing Authority and another resolution in May, 1970, permitting the Housing Authority to function. Mayor Garrison stated that he was under the impression that the City had not completed all action necessary to implement the housing program, but apparently all action had been completed. Mayor Garrison asked Chamber of Commerce representatives for their comments regarding what further action may be necessary to implement the Authority.

Mayor Garrison called on Mr. George Henderson who stated that members previously appointed to the Housing Authority would need re-appointment consideration since terms were based on two-year periods. Mayor Garrison agreed with Mr. Henderson, but it was determined that members currently serving on the Housing Authority could probably, technically, under the law, continue to serve until new members were appointed.

Mayor Garrison concluded remarks on the Housing Authority indicating that it appeared the Housing Authority had been activated, permitted to function and members appointed unless information was found to the contrary. Mayor Garrison then tabled this item for further discussion on his own volition until the City Attorney had a further opportunity to investigate the details and circumstances involved.

8. Pornographic Material - Approval of Ordinance

Mayor Garrison explained that an ordinance regarding the display of obscene publications within the City of Lufkin, Texas, had been passed on first reading at last regular meeting.

Mayor Garrison asked if Mr. Bill Luther, a local distributor who was present at last regular meeting regarding pornography ordinance, was present to speak in regard to this action by the City Commission. Mr. Luther was not present, however, and there were no persons present speaking in opposition to proposed ordinance regulating pornographic material as approved on first reading at last regular meeting. Comm. E. C. Wareing then made motion to approve ordinance on second and final reading regulating the display of pornographic material throughout the City due to the lack of opposition being present for same. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

9. Zone Change Application - Youngblood Development Corporation from R-1 District to C District

Mayor Garrison explained that zone change application by Youngblood Development Corporation from R-1 District to C District covering property located North of and parallel to Loop 287 between U. S. Highway 59 and Tulane Drive had been recommended for approval by the City Planning and Zoning Commission. There were no persons present appearing in opposition to zone change application. Comm. R. A. Brookshire made motion that zone change application as presented by Youngblood Development Corporation from R-1 District to C District be approved on first reading. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

10. Gasoline & Petroleum Products - Bid Awarded - 1973-74 Fiscal Year

City Manager Westerholm stated that the City had advertised for bids on gasoline and petroleum products for the up-coming fiscal year with Polk Oil Company and Gulf Oil Company being the only bidders. City Manager Westerholm further stated an addendum had been previously forwarded to all bidders concerned providing an opportunity to submit an alternate bid for petroleum products on a quarterly basis. City Manager Westerholm further stated that both bids were based on product availability with Gulf Oil Company submitting an annual bid and Polk Oil Company submitting a quarterly bid.

There was no representative present from Polk Oil Company, but members of the City Commission asked Mr. Frank Shanks, a local distributor for Gulf Oil Company, to speak in behalf of Gulf bid as presented.

Comm. R. A. Brookshire expressed his concern that the City be insured of gasoline and petroleum products for a one-year period which seemed to be more important than price at the present time. Comm. R. A. Brookshire further expressed his opinion, however, that the City should be protected from any high increases during the fiscal year.

Comm. E. C. Wareing agreed with opinion as presented by Comm. R. A. Brookshire who was in favor of the Gulf bid subject to two commitments, availability based on preference for public need and increases in overall price situation not to exceed retail outlet prices. Comm. E. G. Pittman was in agreement with proposal by Comm. E. C. Wareing and further suggested that the City Commission further negotiate at a special meeting if necessary. Comm. R. A. Brookshire then made motion that the bid as submitted by Gulf Oil Company in amounts as presented for a one-year period be accepted. Motion was seconded by Comm. Joe E. Rich. Following motion and second, Comm. E. C. Wareing asked if Comm. R. A. Brookshire would amend his motion subject to previous proposal as presented to add a 15-day cancellation notice by the City if necessary. Following a brief discussion, Comm. R. A. Brookshire amended his previous motion to add a 15-day cancellation notice privilege to the City if necessary. The following vote was recorded:

Voting Aye: Mayor Garrison, Comms. R. A. Brookshire, J. T. Hopson, Joe E. Rich, E. C. Wareing and W. O. Ricks, Jr.

Voting Nay: Comm. E. G. Pittman

Mayor Garrison declared motion carried by majority vote of 6 to 1.

11. Building Demolition - Burke Apartments and Central School Building - Authority to Advertise for Bids

City Manager Westerholm stated that the Burke Apartments had been vacated along with the Central School Building and requested authority to advertise for demolition bids accordingly. He also requested authority for demolition bids on the buildings located on the J. D. Muller, Johnny York and Episcopal Church properties adjacent to City Hall. Following a brief discussion, Comm. J. T. Hopson made motion that City Manager Westerholm be authorized to obtain bids for demolition of above described buildings. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

12. Beautify Lufkin Council - Status

Comm. E. G. Pittman inquired as to the status of the Beautify Lufkin Council. City Manager Westerholm reported that the Beautify Lufkin Council was continuing to meet involving beautification projects of various civic organizations throughout the City.

13. Sewer Line Extension - Highway 103 East & Pineburr Street

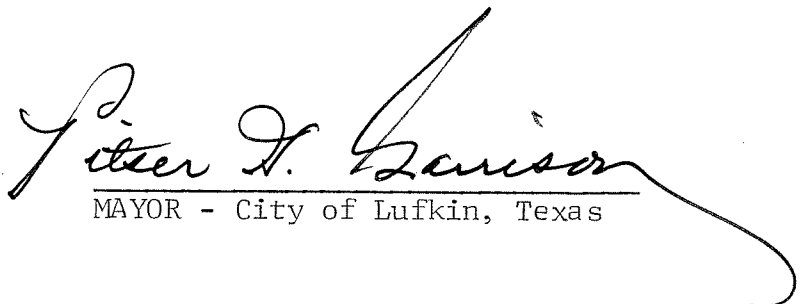
Comm. J. T. Hopson inquired as to the completion date set for the sewer line extension on Highway 103 East. City Manager Westerholm reported that sewer line extension would begin as soon as lift stations were installed and operable with anticipated date being January, 1974, depending on the contractor and weather conditions. Comm. J. T. Hopson also expressed his concern for recent construction activity along Pineburr Street. Hayne Stokes, Public Works Director, reported that six new homes were being constructed in this area and various City facilities were being extended to serve this area.

14. Police Department - Lufkin Board of Education

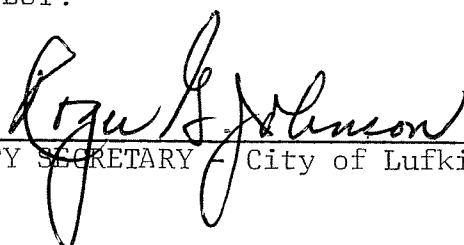
Comm. E. C. Wareing informed members of the City Commission of a letter from the Lufkin Board of Education complimenting the Lufkin Police Department for a job well done in moving traffic at the new Lufkin High School football facility. Mayor Garrison stated that the Police Department was an asset to the City and should be commended for their fine effort.

15. Adjournment

There being no further business for consideration, meeting was adjourned at 6:30 P. M.

  
MAYOR - City of Lufkin, Texas

ATTEST:

  
CITY SECRETARY - City of Lufkin, Texas