

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 2ND DAY OF JANUARY, 1973, AT 7:30 P.M.

On the 2nd day of January, 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
Edgar 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. A. D. Thomas, Pastor of the Goodwill Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed a small group of visitors who were present regarding items on the agenda or as observers and expressed appreciation for their concern.

3. Approval of Minutes

Comm. J. T. Hopson made motion that minutes of regular meeting of December 5, 1972, be approved. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

4. Zone Change Application - Robert M. McDonald and William A. Bergfeld from R-1 District to LB District

Mayor Garrison explained that this particular zone change had been approved on first reading by majority vote of 5 to 1 during last regular meeting of December 5, 1972. City Attorney Flournoy read caption of ordinance for second reading changing zone from R-1 District to LB District covering property located North of Teer Street at intersection of State Highway Loop 287 on application by Robert M. McDonald and William A. Bergfeld. There were no persons present appearing in objection to this zone change request. Comm. W. O. Ricks, Jr., made motion that zone change application by Robert M. McDonald and William A. Bergfeld from R-1 District to LB District be approved on second and final reading as read by City Attorney Flournoy and recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. Joe E. Rich and the following vote was recorded:

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

Voting Nay: Comm. E. C. Wareing

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

Comm. E. C. Wareing explained his continued concern that the approval of this zone change request would create a re-occurring problem.

5. Zone Change Application - Jamie L. Stansbury from LM District to LM District & Special Use (Art. XV, Sec. 16, Zoning Ordinance, Private Clubs)

Mayor Garrison explained that this particular zone change had been recommended by the City Planning and Zoning Commission by a unanimous vote and that Mrs. Laura Minton, 918 Abney Avenue, was the only person indicating objection to zone change by letter presented at this meeting. There were no persons appearing in objection to this zone change request and Mayor Garrison recognized the presence of Mr. Jamie L. Stansbury to speak in behalf of application. Members of the Commission had no questions regarding this application and City Attorney Flournoy read caption of ordinance for first reading changing zone from LM District to LM District & Special Use (Art. XV, Sec. 16, Zoning Ordinance, Private Clubs). Comm. R. A. Brookshire then made motion that zone change application by Jamie L. Stansbury from LM District to LM District & Special Use (Art. XV, Sec. 16, Zoning Ordinance, Private Clubs) be approved on first reading as read by City Attorney Flournoy and recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

6. Zone Change Application-Henry D. Harvey from R-3 Dist. to CB Dist.

Mayor Garrison stated that this zone change application was denied recommendation to the City Commission by unanimous vote of the City Planning and Zoning Commission during meeting of November 30, 1972. Mayor Garrison further stated that opposition was presented by property owners living in the surrounding area at this time. There were no persons present appearing in objection to this zone change application and Mayor Garrison called on Mr. Doyle Anderson to speak in behalf of application. Mr. Anderson explained that Mr. & Mrs. Henry D. Harvey were present to answer any questions regarding this application. Mr. Anderson briefly explained the location of this property and circumstances involved pointing out the fact that the Commission had recently approved a CB zone across the street from the proposed zone change request by Mr. & Mrs. Harvey. Mr. Anderson further explained that since this area was between two LB zones and across the street from a CB District that a CB zone would be the best use for the property. Mr. Anderson also informed members of the Commission that providing zone change request was approved, Mr. & Mrs. Harvey planned to sell the property to a buyer who planned to construct a self-storage mini-warehouse similar to one recently constructed near State Highway Loop 287 and State Highway 94. Mayor Garrison called on Mr. Henry D. Harvey who stated that he desired to sell the property as CB District providing zone change request was approved. There were no persons present appearing in objection to this zone change request. City Attorney Flournoy read caption of ordinance for first reading changing zone from R-3 District to CB District covering property located immediately Northeast of U. S. Highway 69 South, between Harbuck Street and Howard Street. Comm. W. O. Ricks, Jr., made motion that zone change application be approved on first reading from R-3 District to CB District as read by City Attorney Flournoy. Motion was seconded by Comm. J. T. Hopson. Comm. E. G. Pittman asked members of the Commission if this item could be tabled until further information could be acquired from the City Planning and Zoning Commission regarding their unanimous denial. Mayor Garrison asked Comm. W. O. Ricks, Jr., if he would withdraw his motion in accordance with recommendation made by Comm. E. G. Pittman. Comm. W. O. Ricks, Jr., was in agreement with request made by Comm. E. G. Pittman and Mayor Garrison tabled this zone change request on his own volition until next regular meeting when more information could be available to allow a decision on this zone change request.

7. Zone Change Application - M. L. Renfro, et ux, and Leslie N. Cahill, et ux, from R-1 District to C District

Mayor Garrison stated that this particular zone change had been considered by the City Planning and Zoning Commission during regular meeting of December 14, 1972, where it was recommended for approval by the City Commission on unanimous vote. City Attorney Flournoy read caption of ordinance for first reading changing zone from R-1 District to C District covering property located South of Ford Chapel Road on the West side of State Highway Loop 287. There were no persons present appearing in objection to this zone change request. Comm. E. C. Wareing stated that a small triangular portion of property located near the Southwest corner of the proposed zone change should be included in the request to C District. Following discussion, Mayor Garrison stated that property owners should be contacted regarding this portion of property and that field notes and plat be altered accordingly. Comm. E. C. Wareing then made motion that zone change application by M. L. Renfro, et ux, and Leslie N. Cahill, et ux, from R-1 District to C District be approved on first reading of ordinance as read by City Attorney Flournoy and recommended by the City Planning and Zoning Commission subject to the inclusion of a triangular portion of property as previously described. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

8. Audit Report 1972 - Alexander & Rogers - Discussion

City Manager Westerholm stated that copies of the 1972 audit report by Alexander & Rogers had been completed for consideration by members of the City Commission. In the absence of Mr. Rogers, members of the Commission were in agreement that this item be tabled for consideration at the next meeting also allowing members of the Commission an opportunity to further examine the report.

9. Sanitary Sewer Treatment Plant - Environmental Protection Agency - Authorization for Approval of Contract

City Manager Westerholm stated that he had received a letter from the EPA approving information previously forwarded for review and authorizing the City to enter into contract for construction of sewer treatment plant and other improvements. City Manager Westerholm requested authority from members of the Commission to immediately issue a Work Order for construction of the sewer treatment plant and further requested to delay issuance of Work Order on major sewer and outfall lines since all R.O.W. easements had been secured by the City. Following considerable discussion, Comm. W. O. Ricks, Jr., made motion that Mayor Garrison be authorized to execute each contract with Stephens & Carrothers Construction Company recommended by City Manager Westerholm. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

Comm. E. C. Wareing made motion to issue Work Order on each of the two projects and authorize City Manager Westerholm to determine when areas were prepared for construction. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

10. Fire Department - Awarding of Bids - Two 4-Door Sedans

City Manager Westerholm stated that bids were received and opened December 28, 1972, at 2:00 P. M., for two four-door Sedans to be used by the Fire Department. City Manager Westerholm recommended low bid submitted by Tipton-Billingsley Ford in the amount of \$7,741.26 in accordance with bid tabulation as follows:

Company	Model	Total Price
Ralph New Motor Co. Exceptions to Bid Specifications: 62 AMP Alternator	Ambassador	\$7,454.70
Tipton-Billingsley Ford Exceptions to Bid Specifications: None	Custom "500" Galaxy "500"	\$7,741.26 \$7,982.00
Gibbs Motor Company Exceptions to Bid Specifications: 120" Wheel Base	Fury I	\$7,889.70
Sewell Buick-Pontiac, Inc. Exceptions to Bid Specifications: None	Catalina	\$8,056.40

Considerable discussion developed regarding purchase of these vehicles and Mayor Garrison asked City Finance Director Royal Dunlap, who was present, if he would call Ralph New Motor Company regarding specifications for an 80-AMP Alternator. Mr. Dunlap later reported that he had discussed alternator specifications with Mr. New and his automobile foreman, who indicated that an 80-AMP alternator could not be provided in specifications. Comm. E. C. Wareing then made motion that the Fire Department be authorized to purchase two Custom "500" Four-Door Sedans from Tipton-Billingsley Ford in the bid amount of \$7,741.26. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

11. Street Department - Awarding of Bid - Portable Tandem Roller

City Manager Westerholm stated that bids had been received and opened December 28, 1972, at 2:00 P. M., for a portable tandem roller to be used by the Street Department. City Manager Westerholm further stated that the following bid tabulations had been prepared for consideration:

Company	Terms	Total Amount Less Discounts	Total Amount Less Discount & Credit
R. B. Everett & Company	2% 10 Days; \$975 credit for 2½ Months rental	\$8,005.37	\$7,030.37
Browning-Ferris Machinery Co.	None Indicated	\$8,268.88	\$8,268.88
Nichols Mach. Company	Cash	\$7,995.00	\$7,995.00

City Manager Westerholm stated that the City had rented a roller from R. B. Everett & Company and that this particular company would allow \$975 credit for 2½ months rental on their bid amount. Considerable discussion developed and Comm. W. O. Ricks, Jr., made motion that R. B. Everett & Company be awarded bid in amount of \$7,030.37. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

12. HDR - Payment of Invoices

City Manager Westerholm stated that the City had received invoices from Henningson, Durham & Richardson in the amount of \$30,287.80 and \$48,816.73. City Manager Westerholm further informed members of the Commission that these invoice amounts were in accordance with provisions of contract. Considerable discussion developed regarding various explanations of billing procedure of these invoices be postponed until the items of extra prints of plans and specifications on invoices were more adequately explained.

13. Vumore Progress Report

City Manager Westerholm stated that Vumore, Cablecom General, Inc., had submitted their monthly progress report indicating that work was progressing on new micro-wave system and that engineers were in the process of installing micro-wave antennas and wave guide on all towers. City Manager Westerholm further stated that copies of this report had been furnished members of this Commission and that extra copies had been provided to news media for review by the public.

14. Housing Authority - Discussion

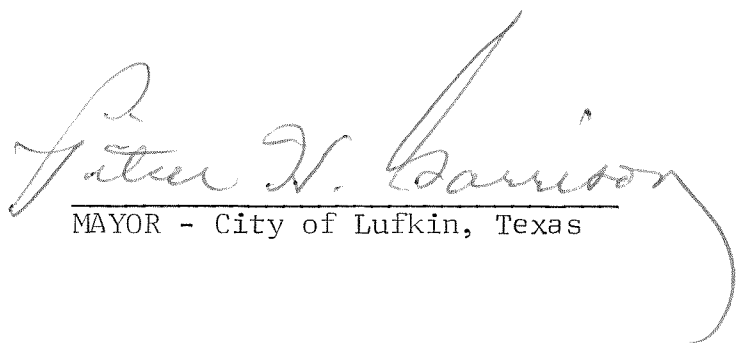
Comm. Joe E. Rich inquired as to the status of Lufkin's Housing Authority requesting more information on this subject. Mayor Garrison explained a brief history of Lufkin's Housing Authority indicating its approval in early 1970 and also explained that it was necessary to acquire City Commission action for activation of the Housing Authority. Considerable discussion developed regarding this subject and Comm. E. C. Wareing asked that City officials up-date information concerning the Lufkin Housing Authority before members of the Commission draw conclusions on the subject.

15. Property Tax Exemption for Elderly - Discussion

Mayor Garrison stated that recent voting figures inside the City Limits indicated almost a 3-to-1 margin in favor of a City property tax exemption for the elderly. Mayor Garrison further informed members that 5,536 voters had voted in favor of this exemption and 1,420 had voted against the same. Mayor Garrison stated that since the public had voiced favorable consideration of this exemption, that the Commission should consider implementing this exemption. Mayor Garrison stated that the new law approved by voters allowed taxing agencies to reduce elderly ad valorem tax values by \$3,000. Following considerable discussion, members of the Commission were in unanimous agreement that City Attorney Flournoy be authorized to furnish all information on a \$3,000 tax exemption referendum approved by Texas voters in November for consideration at a later meeting.

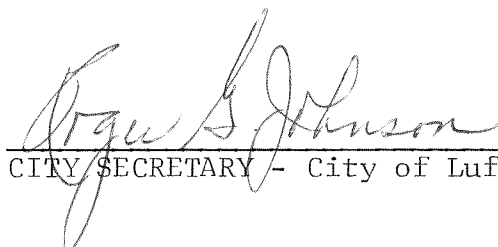
16. Adjournment

There being no further business for consideration, meeting was adjourned at 8:50 P. M.



MAYOR - City of Lufkin, Texas

ATTEST:



CITY SECRETARY - City of Lufkin, Texas