

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 21ST DAY OF NOVEMBER, 1978, AT 5:00 P.M.

On the 21st day of November, 1978, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Room at City Hall with the following members thereof, to-wit:

Pitser H. Garrison	Mayor
R. A. Brookshire	Commissioner, Ward No. 1
Pat Foley	Commissioner, Ward No. 2
Jack McMullen	Commissioner, Ward No. 3
E. C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	Asst. City Manager

being present, and

Richard Thompson	Commissioner at Large, Place B
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being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. Dwayn Calvert, Pastor of Calvary's Chapel, Lufkin, Texas.
2. Mayor Garrison welcomed visitors present.
3. Approval of Minutes

Comm. Pat Foley made motion that minutes of regular meeting of November 7, 1978 be approved. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

4. Open Hearing-Annexation & Permanent Zoning-Crown Colony Subdivision Section VII-A-Ord. Set for 1st Reading

Mayor Garrison stated that the City Planning and Zoning Commission had recommended approval of annexation and permanent zoning request as submitted by Crown Colony Subdivision Section VII-A covering property located East of U. S. Highway 59 South in the Crown Colony Subdivision. Mayor Garrison officially opened hearing regarding this annexation and permanent zoning request and recognized Mr. Ray Faircloth appearing in representation of application. Mr. Faircloth had no additional comments regarding application and there were no persons present appearing in opposition to same. There were no questions from members of Commission and Mayor Garrison officially closed hearing. Comm. W. O. Ricks, Jr., made motion that ordinance be set for first reading to consider annexation and permanent zoning of this property at next regular meeting. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

5. Open Hearing-Annexation & Permanent Zoning-R. B. Thompson & Exeter Investments-Ord. Set for 1st Reading

Mayor Garrison stated that the City Planning and Zoning Commission had also recommended annexation and permanent zoning of property as requested by R. B. Thompson and Exeter Investments covering property located North of Angelina College Campus and West of Daniel McCall Drive (FM 35). Mayor Garrison officially opened hearing regarding this annexation and permanent zoning and there was no opposition present. Mr. R. B. Thompson, who was present in representation of application, had no additional comments regarding same and Mayor Garrison officially closed hearing. Motion was made by Comm. Jack McMullen that ordinance be set for first reading to consider annexation and permanent zoning of this property at next regular meeting. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

6. Annexation & Permanent Zoning Approved 2nd Reading-Wickes Lumber Company, Home Savings & Loan Association and Texas Power & Light Company

Mayor Garrison stated that ordinance had been approved on first reading at last regular meeting on annexation and permanent zoning request of Wickes Lumber Company, Home Savings & Loan Association and Texas Power & Light Company properties located between U. S. Highway 59 South and Brentwood Drive.

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There were no persons present appearing in opposition to this annexation and permanent zoning. Comm. E. C. Wareing made motion that ordinances annexing and permanently zoning this property be approved on second and final reading. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

7. Zone Change Approved 1st Reading-R. B. Thompson & Exeter Investments from RL Dist. to NR & A District, Special Use (Townhouses)

Mayor Garrison stated that the City Planning and Zoning Commission had recommended approval of zone change application on request by R. T. Thompson and Exeter Investments from RL District to NR & A District, Special Use (Townhouses), covering property fronting on West side of Daniel McCall Drive (FM 35), West of Angelina Junior College. Mayor Garrison recognized Mr. R. B. Thompson who had no additional comments regarding application.

There were no persons present appearing in opposition to this zone change request. Motion was made by Comm. W. O. Ricks, Jr., that zone change application by R. B. Thompson and Exeter Investments from RL to NR & A District, Special Use (Townhouses), be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

8. Zone Change Approved 1st Reading-James S. Henry from LB to CB District

Mayor Garrison stated that the City Planning and Zoning Commission had recommended approval of zone change application on request by James S. Henry from LB to CB District covering property located at Southwest corner of intersection of Chestnut & Denman, presently being Kelsey's Flower Emporium, and property located across from Kelsey's at intersection of Virgil & Denman Avenues.

Mayor Garrison recognized Mr. Henry who was present in representation of his application and Mr. Henry had no additional comments regarding same. There were no persons present appearing in opposition to this zone change request. Comm. R. A. Brookshire made motion that zone change application by James S. Henry from LB to CB District be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

9. Sanitation Dept.-Bids Awarded-Purchase of Containers

The following bids were reviewed by the City Commission for the purchase of containers for the Sanitation Department:

<u>Name of Company</u>	<u>Bid Amount</u>	<u>Delivery Date</u>
Industrial Disposal Supply Co.	\$5,682.00	8 Weeks
Duncan Equipment, Inc.	\$5,566.00	45 Days
War-Pak, Inc.	\$5,206.00	45-60 Days
Scott & Hill Steel Corp.	\$5,188.00	45 Days

City Manager Westerholm recommended the purchase of low bid from Scott & Hill Steel Corporation in the amount of \$5,188.00. Comm. W. O. Ricks, Jr., made motion that Scott & Hill Steel Corporation be awarded bid in the amount of \$5,188.00 for the purchase of containers for the Sanitation Department as recommended by City Manager Westerholm. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

10. WPCP-Proposed Modification Dis.-Decision Postponed on Selection of Engineering Firm

Mayor Garrison stated that the Texas Department of Water Resources had forwarded the City a tentative letter stating the basic agreements reached in Austin on November 2, 1978, when this agency met with City officials. Mayor Garrison stated that to his knowledge this information had met with the approval of the City staff as being the agreements discussed and in accordance with Items 5 and 6 of this letter, the City had been asked to employ engineers to conduct a study and prepare a plan addressing these problems.

City Manager Westerholm stated that he had forwarded members of Commission a plan from Henningson, Durham & Richardson Engineers offering to conduct this study for an estimated fee of \$26,500. City Manager Westerholm also stated that he had invited other engineering firms, to include Griffith Engineers of Lufkin; Kemp, Dresser, McKee of Dallas and Allen Plummer

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& Associates of Arlington, to submit a proposal for providing this same service.

Members of Commission werethen presented each of these proposals for review. Comm. Pat Foley stated that in view of the amount of material that should be reviewed from each of these engineering plans, he would personally desire more time to study each report and made motion that further consideration of this item be tabled until next regular meeting. Motion was seconded by Comm. W. O. Ricks, Jr.

Prior to vote on motion, Comm. E. C. Wareing inquired as to the February 1 deadline which had been previously discussed and as to whether or not this delay would create a problem. It was stated by Mayor Garrison that, in his opinion, the Texas Department of Water Resources would be desirous of assisting the City in this regard. Mayor Garrison stated that in his opinion, this would not delay the February 1 deadline, or in the event same existed as a conflict, members of Commission could consider a possible special meeting to determine the engineering firm to be selected.

A unanimous affirmative vote was then recorded to previous motion and second to table further consideration of this item until next regular meeting, and authorize City Manager Westerholm to proceed with the requirements of the Texas Department of Water Resources' request.

11. City Court Report-Texas Criminal Justice Council-Request for Report of Fund Contributed

Comm. R. A. Brookshire requested submission of report by the City Court of funds contributed to the Texas Criminal Justice Council. Comm. Brookshire stated that it was his understanding these funds were to be distributed back to the various Municipalities and Counties each year. Comm. Brookshire stated that he desired to know the amount being reported by the City in this regard to determine whether or not the City was receiving its share of these funds.

Other members of Commission were in agreement with Comm. Brookshire to determine this amount and also suggested the amount of funds being reported by the County to determine the impact of same within the County. City Manager Westerholm stated that he would provide this information to Comm. Brookshire at next regular meeting.

12. Cablecom General-Rate Case Status Reported by City Attorney

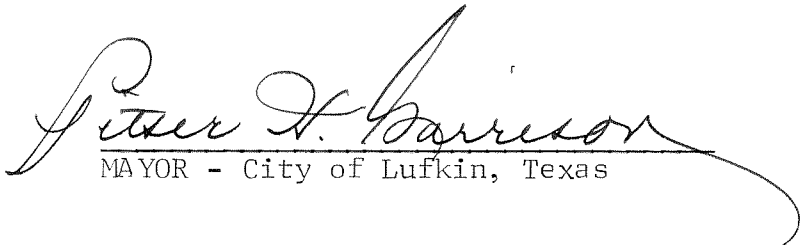
City Attorney Flournoy stated that the Counsel for Cablecom General had filed a motion to remove the rate case from the District Court in Angelina County to the Federal Court in Tyler to be heard by William Wayne Justice. City Attorney Flournoy stated that he was filing a reply to this brief and was awaiting establishment of hearing date to be set by the Federal Court in this regard.

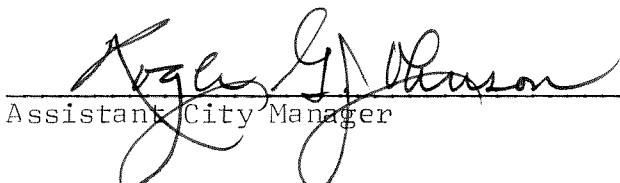
13. Adjournment

There being no further business for consideration, meeting adjourned at 6:35 p.m.

ATTEST:




MAYOR - City of Lufkin, Texas


Assistant City Manager