MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 6TH DAY OF MARCH, 1973, AT 7:30 P. M.

On the 6th day of March, 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. E. E. Weeks, Pastor of Bethel Assembly Church, Lufkin, Texas.

2. Mayor Garrison welcomed a small group of visitors who were present in connection with items on the agenda or as observers.

3. Approval of Minutes

   Comm. J. T. Hopson made motion that minutes of regular meeting of February 20, 1973, be approved. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

4. Zone Change Application - Buford Maddux from R-3 District to C District & Special Use, Item 26 (c)

   Mayor Garrison explained that zone change application by Buford Maddux from R-3 District to C District & Special Use, Item 26 (c), had been approved on first reading at last regular City Commission meeting. There were no persons present appearing in objection to this zone change application. City Attorney Flournoy read caption of ordinance for second and final reading changing zone from R-3 District to C District & Special Use, Item 26 (c), covering property located on the South side of Laurel Avenue East of intersection of Laurel Avenue and Atkinson Drive. Comm. W. O. Ricks, Jr., then made motion that zone change application by Buford Maddux from R-3 District to C District & Special Use, Item 26 (c), 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. E. C. Wareing and a unanimous affirmative vote was recorded.

5. Proposed Permanent Zoning - Slack School Property - Annexed by Ordinance #1551

   Mayor Garrison brought attention to the fact that this particular permanent zoning was passed on first reading at last regular meeting. There were no persons present appearing in objection to this proposed permanent zoning. City Attorney Flournoy read caption of ordinance for second reading permanently zoning Slack School Property, annexed by Ordinance #1551, covering property located South of U. S. Highway 69 and North of Fuller Springs Road on the East and West sides of Joyce Lane. Comm. W. O. Ricks, Jr., then made motion that ordinance be passed on second and final reading permanently zoning Slack School Property as read by City Attorney Flournoy and recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

6. Proposed Permanent Zoning - Brookhollow #6 Addition - Annexed by Ordinance #1553

City Attorney Flournoy read caption of ordinance for second and final reading permanently zoning Brookhollow #6 Addition covering property located South of Copeland Street, annexed by Ordinance #1553. There were no persons present appearing in favor of or against this proposed permanent zoning. Comm. R. A. Brookshire then made motion that ordinance be approved on second and final reading permanently zoning property in Brookhollow #6 Addition annexed by Ordinance #1553 located South of Copeland Street as read by City Attorney Flournoy and recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

7. City Board of Development - Appointment of Members

City Manager Westerholm stated that the Chamber of Commerce had recommended the following list of five individuals for appointment to the City Board of Development:

Lester Adkison | Bob Browning | James Gibbs
Leland Petty | Alton Holt

Following a brief discussion, Comm. R. A. Brookshire made motion that above names as recommended by the Chamber of Commerce be appointed to the City Board of Development. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

8. Deep East Texas Council of Governments - Resolution - Criminal Justice Council

City Manager Westerholm explained that, through the Criminal Justice Council, various items of technical equipment for the Police Department could be obtained at a cost to the City of 15¢ on the dollar. City Manager Westerholm further stated that a list of this requested equipment had been furnished members of the Commission for consideration which provided a column indicating the City's cost of each item. City Manager Westerholm further explained that the Police Department operating budget had already budgeted $5,670 for a portion of these items on the list; and that the program would assist the City in securing the same items, and more, at a fraction of the budgeted cost. Mayor Garrison stated it was his understanding that this equipment list had been prepared by experienced individuals and the Deep East Texas Council of Governments would make application upon approval of resolution by the City Commission. Mayor Garrison also stated that the Criminal Justice Council had recommended the use of this equipment in Cities the size of Lufkin. Following considerable discussion, Comm. W. O. Ricks, Jr., made motion that resolution be approved authorizing the Mayor to execute agreement with the Deep East Texas Council of Governments as the designated agent for helping to secure technical Police equipment through the Criminal Justice Council. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

9. Southern Pacific Railroad - Access to Proposed Sanitary Landfill

City Manager Westerholm stated that on October 7, 1971, the City, in an agreement with Charles Marberry, acquired the use of 20 acres of land as a Sanitary Landfill site, and that the City would also acquire future extensions to lands when 20 acres were fully utilized. City Manager Westerholm informed members of the City Commission that a railroad crossing over the Southern Pacific Railroad would be necessary to use this particular site, and the City of Lufkin had informed Mr. Patterson of the Southern Pacific Railroad by letter on December 2, 1971, requesting a need for a 24-foot crossing at the landfill site. City Manager

Westerholm stated that since this time, the railroad had advised the City to install signal lights at the crossing which would cost the City $18,250; and also, the City was later informed that a gate and watchman at this crossing could replace the signal lights at the crossing. City Manager Westerholm further stated that the City would be required to furnish liability insurance in the amount of $1,000,000 at a cost to the City of $114 annually. City Manager Westerholm concluded his information and informed members that other costs to develop a crossing would be approximately $3,000 for installation of timber crossing and raising of telephone wires. He stated that the City already maintained a guard at the entrance of the Sanitary Landfill operation and a decision should be reached as to whether or not the City should use this particular crossing under these conditions since a new site would soon be needed. Mayor Garrison expressed his concern that demands as presented by the Southern Pacific Railroad were unreasonable. Mayor Garrison further stated that a gate and flagman was unreasonable since other crossings within this same area were not equally maintained. Mayor Garrison then suggested that City Attorney Flournoy negotiate with the Southern Pacific Railroad Company. Comm. E. G. Pittman asked if this particular crossing was on a straight line or within a curved portion of track. City Attorney Flournoy explained that this particular crossing was located within a straight portion of track. Members of the City Commission were in unanimous agreement that further investigation should be made by City Attorney Flournoy with Southern Pacific Railroad before any final decision was rendered. Comm. E. C. Wareing expressed his concern that Southern Pacific Railroad furnish the City with more information to adequately justify their proposal to the City. Members of the Commission were in unanimous agreement that this particular item be tabled until a later meeting.

10. Solid Waste Management Study-Proposal of Texas A & M University

City Manager Westerholm stated that the City Commission had requested information concerning the City's investigation of its solid waste management operation. City Manager Westerholm further stated that Dr. Frank Buffa and Dr. Roger Cossaboom were present to answer any questions members of the Commission may have regarding their detailed proposal previously furnished members for consideration. City Manager Westerholm stated that this particular proposal as presented by Texas A & M University would cost the City $7,224.34. City Manager Westerholm stated that by way of comparison, a similar type study in the City of Garland had cost approximately $35,000. Mayor Garrison called on Dr. Frank Buffa to give a brief synopsis of this study as presented and to explain his educational background in this area. Dr. Buffa explained his educational training as outlined in a report presented the Commission and further reviewed his particular views involved in the proposed study. Dr. Buffa explained that this particular study would be divided into six phases including data collection, data analysis, development of routing model, implementation of the model, revision and re-implementation of model and presentation of the final report to the City of Lufkin. Comm. E. G. Pittman inquired if this particular study was a study of routing, other than equipment and method. Dr. Buffa stated that this particular study was more concerned with routing, but study of equipment could be included if desired indicating the best type of equipment suited for the particular job. Mayor Garrison then called on Dr. Roger Cossaboom, who also briefly explained his educational background and answered several questions directed by members of the Commission. Dr. Cossaboom stated that having discussed current information with City officials, he had zeroed in on the most crucial problems of the City. Comm. E. G. Pittman also inquired if utilization of landfill per acre would be included within this study. Dr. Cossaboom stated that this particular portion had not been included but could be added if desired. Comm. E. G. Pittman expressed his concern that the City should receive the most utilization of the landfill site, and prior to opening the City's new landfill site, a study of this nature should be conducted. Comm. E. C. Wareing asked if, within the next several weeks, these additional problems as previously discussed could be included in the study and a new report submitted. Both guests from Texas A & M University agreed that they could report back as suggested by Comm. E. C. Wareing. Members of the Commission were in unanimous agreement with suggestion as presented by Comm. E. C. Wareing and agreed that proposal by Texas A & M University would be considered pending final decision at a later meeting.

11. City Data Processing Dept. - Contract with City of Diboll

City Manager Westerholm stated that the City of Diboll had approached the City of Lufkin concerning contracting their billing operation through the City's Systems III computer. City Manager Westerholm stated that City Finance Director, Royal Dunlap, had prepared a proposal for consideration by members of the Commission regarding the fuller utilization of this equipment through this type service. Members of the Commission called on City Finance Director, Royal Dunlap, to answer several questions regarding this subject. Mr. Dunlap explained that no additional employment would be made by the City and the City's only extra cost would be for initial start-up fees. Mr. Dunlap further explained that the City of Diboll would be responsible for furnishing all forms with the exception of stock paper and 96-column cards and the City of Lufkin would provide up to five round trips per month with the City of Diboll furnishing all others. Mr. Dunlap stated that a formal contract could be executed with provisions for either party to dissolve same by way of a 60-day notice. Comm. E. G. Pittman was concerned as to how many additional customers would be added under this system. Mr. Dunlap stated that approximately 1,000 would be added. Following considerable discussion, Comm. E. C. Wareing made motion that City Manager Westerholm and his staff be authorized to make this official proposal to the City of Diboll as explained. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

12. Payment of Invoices-HDR and Moore Brothers Construction Company

City Manager Westerholm stated that the City had received the following invoices from HDR and Moore Brothers Construction Company:

Henningson, Durham & Richardson	#D5334	$944.55
" " "	#D5371	$293.63
" " "	#D5372	$136.85
Moore Bros. Construction Company	73-39	$32,574.62

Following a brief discussion, Comm. W. O. Ricks, Jr., made motion that above listed invoices be paid in amounts as presented from Henningson, Durham & Richardson and Moore Brothers Construction Company. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

13. Angelina Water Supply Corporation - Request for Stand-By Water Supply Line

City Manager Westerholm stated that he had talked with Mr. Jerry Clark who had previously requested Angelina Water Supply Corporation be allowed to tie-on to the City's 8-inch water line at the new Lufkin Junior High School. City Manager Westerholm stated that he further discussed this matter with Mr. Clark following last regular meeting. City Manager Westerholm stated that he had explained the desire of the City Commission to furnish these services only on an emergency basis and Mr. Clark now desired the City Commission to deny their request for water in order to allow the Angelina Water Supply Corporation to make application to drill a new water well. Following considerable discussion, Comm. J. T.

Hopson made motion that City Manager Westerholm be authorized to inform the Angelina Water Supply Corporation that the City must deny their request for additional water. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

14. Vumore Report - Discussion

City Manager Westerholm brought attention to the fact that the Vumore Company had submitted their monthly report which had been made available to members of the Commission for consideration. City Manager Westerholm stated that this particular report indicated work progress, but all equipment had not been received. Mayor Garrison suggested that the City ask the Vumore Company for more specific information than presented within this report; especially toward further clarification of paragraph 3. Mayor Garrison was also concerned with the delay in completion and installation of new equipment and requested that more concrete information be obtained. Comm. R. A. Brookshire asked if a definite day of completion for this new equipment could be obtained by next meeting date. City Manager Westerholm stated that he would request this information from Vumore Company. The City Commission was in agreement that City Manager Westerholm be authorized to seek this additional information and that demands be made for completion date.

15. Fire Zone - Request for Removal of Property - Glenn Wideman

City Manager Westerholm stated that this particular item had been tabled from last regular meeting and that as a matter of record, he desired to report additional information concerning request by Mr. Wideman for removal of property from the fire zone. City Manager Westerholm stated that he had discussed this proposal with the State Insurance Commission in Austin who indicated that this particular area could probably be eliminated from the fire zone without jeopardizing the City's key rate. City Manager Westerholm stated that Mr. Bill Fenley had called, in representation of the First Baptist Church, concerning removal of the Yellow Cab Company from the fire zone. City Manager Westerholm stated that Mr. Fenley was concerned about church fire insurance rates and if they would be affected. City Manager Westerholm stated that he had informed Mr. Fenley, after having checked with insurance officials, that the First Baptist Church fire insurance rates would not be affected. City Manager Westerholm stated that a new survey should be made by the State Insurance Commission. Mayor Garrison expressed his concern that further investigations be made by the State Insurance Commission. Members of the Commission were in unanimous agreement that City Manager Westerholm be authorized to consider further investigations of this subject with the State Insurance Commission and report back at a later meeting.

16. Revenue Sharing - Discussion

Comm. E. C. Wareing expressed his concern that a decision should be reached regarding revenue sharing money to determine where these monies would be ear-marked. Comm. E. C. Wareing expressed his concern that previously committed items be included plus information presented to the City Commission except $47,292.00 which could be listed as a contingency figure. Comm. W. O. Ricks, Jr., expressed his concern that opening of extension of Cunningham Drive to the Ford Chapel Road be considered since this was on the Comprehensive Master Plan and would greatly assist the traffic problem at this location. Comm. E. G. Pittman asked Comm. W. O. Ricks, Jr., if he believed this particular construction project was more important than the Angelina Street proposal. Comm. W. O. Ricks, Jr., agreed with Comm. E. G. Pittman that Angelina Street was more important and should first be considered. Mayor Garrison expressed his desire that a bridge be constructed on Pershing Street which was also in need of immediate attention. Considerable discussion developed and Comm. E. C. Wareing suggested that this particular discussion be tabled until next regular meeting in order to allow City Manager Westerholm an opportunity to more adequately clarify previous presented figures. Members of the Commission were in unanimous agreement with this suggestion as presented by Comm. E. C. Wareing and discussion regarding revenue sharing was tabled until next regular meeting.

17. Adjournment

There being no further business for consideration, meeting was adjourned at 8:45 P. M.

Peter D. Garrison
MAYOR - City of Lufkin, Texas

ATTEST:

Roger G. Johnson
CITY SECRETARY - City of Lufkin, Texas