

MINUTES OF MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN,
TEXAS, HELD ON THE 20TH DAY OF FEBRUARY, 1973, AT 7:30 P. M.

On the 20th day of February, 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. John Wilkins, Educational Director, First Methodist 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. Proposed Permanent Zoning of Newly Annexed Areas

Mayor Garrison opened hearing to consider first reading of ordinances on recommendation for permanent zoning by the City Planning and Zoning Commission on the following recently annexed areas:

Slack School Property - Annexed by Ordinance #1551

Mayor Garrison called on Mr. Phil Ford, who was present regarding permanent zoning of the Slack School Property located South of U. S. Highway 69 and North of Fuller Springs Road on the East and West sides of Joyce Lane. Mr. Ford stated that he owned an air-conditioning service building and a residence on four and one-half acres of land at this location, West of Parker Drive. Mr. Ford requested that he be given a 90-day period to make zone change application. Considerable discussion developed and no other persons were present appearing in objection to proposed permanent zoning of this area. Comm. E. C. Wareing suggested that Mr. Ford be granted a 90-day period to make a zone change application as requested without cost. Comm. Joe E. Rich then made motion that ordinance be passed on first reading permanently zoning Slack School Property as read by City Attorney Flournoy and recommended by the City Planning and Zoning Commission; and that Mr. Ford be granted a 90-day period in which to make zone change application with fees waived. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

Brookhollow #7 Addition - Annexed by Ordinance #1552

There were a number of persons present appearing in opposition to permanent zoning of Brookhollow #7 Addition and land lying East of Brookhollow #7 to existing City Limits South of Old Union Road and including a strip of land 120 feet North of and parallel to Old Union Road from existing City Limits to Brookhollow #7 Addition. Mayor Garrison called on Mr. Harold Weeks who lived South of Old Union Road and owned a 4.26 acre tract at this location. Mr. Weeks requested that he be zoned LB District and indicated that he maintained a small repair shop and sold metal detection equipment at this location. City Attorney Flournoy explained to Mr. Weeks that he could continue present operations at this location on a non-conforming basis, but could not expand or re-build under the present zoning ordinance. Mayor Garrison then called on Mr. Parker McVicker, Attorney who was present to speak in behalf of Dr. B. H. McVicker and Dr. Billy O'Quinn. Mr. McVicker

described the location of property owned by both clients and expressed concern that members of the Commission understand that neither of his clients were objecting to permanent zoning. Mr. McVicker explained that his clients only desired another opportunity to express their ideas and recommendations for zoning of this property to A District since they were not aware of the City Planning and Zoning Commission meeting and were not present when this permanent zoning was discussed.

Mayor Garrison called on Mr. Samuel D. Griffin, Chairman of the City Planning and Zoning Commission, who stated that these areas as described by Mr. McVicker located immediately East of Brookhollow #7 Addition would have probably been considered A District since recommended permanent zoning on property owned by Mr. Rufus Duncan was A District. Comm. E. C. Wareing suggested that this particular area annexed by Ordinance #1552 be reconsidered by the City Planning and Zoning Commission since a large portion of area was involved. Mr. Griffin and members of the City Commission agreed with suggestion made by Comm. E. C. Wareing. Comm. E. C. Wareing then made motion that Brookhollow #7 Addition and other property previously described lying East of Brookhollow #7 Addition be referred back to the City Planning and Zoning Commission to allow further consideration. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

Comm. E. C. Wareing suggested since the City did not have too many annexations during the period of one year, that a quarter-page ad be considered in the local paper prior to City Planning and Zoning Commission meetings to allow more adequate descriptions for public review. Mayor Garrison was in agreement with this suggestion and also asked that the City Tax Department secure mailing addresses of individuals being considered for annexation to allow proper notice of hearing to be mailed to property owners prior to City Planning and Zoning Commission meetings. Members of the City Commission were in unanimous agreement with these suggestions and instructed City Manager Westerholm that same be executed in the future.

Brookhollow #6 Addition - Annexed by Ordinance #1553

City Attorney Flournoy read caption of ordinance for first 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 permanent zoning. Comm. W. O. Ricks, Jr., then made motion that ordinance be passed on first reading permanently zoning property in the 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.

4. Approval of Minutes

Comm. E. C. Wareing made motion that minutes of regular meeting of February 6, 1973, be approved. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

5. Zone Change Application - E. D. Johnson, et ux, as Joined By L. W. Knippers, et ux, from R-2 District to C District

City Attorney Flournoy read caption of ordinance for second and final reading changing zone from R-2 District to C District covering property located West of State Highway Loop 287 and East of Traylor Street between Greer Avenue and State Highway 103. There were no persons present appearing in favor of or against proposed zone change application and Comm. J. T. Hopson made motion that zone change application by E. D. Johnson, et ux, as joined by L. W. Knippers, et ux, from R-2 District to C District be approved on second and final reading as read by City Attorney Flournoy and recommended by City Planning and Zoning Commission. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

6. Zone Change Application-Mrs. Erma M. Read from CB District to C District

City Attorney Flournoy read caption of ordinance for second and final reading changing zone from CB District to C District covering Lots 2 and 3, Block 3, Denman Addition, on the West side of South First Street and North of Denman Avenue. There were no persons present appearing for or against proposed zone change request and Comm. E. G. Pittman made motion that zone change application by Mrs. Erma M. Read from CB District to C 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. J. T. Hopson and a unanimous affirmative vote was recorded.

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

Mayor Garrison called on City Attorney Flournoy to explain the history of this particular zone change application since a special agreement had been announced as an amendment to previous application by Mr. Buford Maddux. City Attorney Flournoy explained that Mr. Maddux had previously filed for zone change and appeared before the City Planning and Zoning Commission and the City Commission and was denied recommendation by the City Planning and Zoning Commission and later denied approval by the City Commission. City Attorney Flournoy explained that Mr. Buford Maddux, Mrs. W. C. Royle and Mr. & Mrs. Milton J. Hickman had signed agreements concerning conditions that would make this zone change acceptable. City Attorney Flournoy explained that Item 26 (c) was permissible under the City's current zoning ordinance provided there was agreement between all parties concerned. City Attorney Flournoy stated that this agreement decreased the amount of area being considered for zone change since Mr. Maddux agreed to leave the front 72 feet of his property facing Laurel Avenue as an R-3 buffer zone. There were no persons present appearing in objection to this zone change application. Comm. E. C. Wareing then made motion that zone change application by Buford Maddux from R-3 District to C District and Special Use, Item 26 (c), 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. R. A. Brookshire and a unanimous affirmative vote was recorded.

8. Revenue Bonds - Approval of Ordinance

Mayor Garrison called on City Attorney Flournoy to explain the City's participation in the sale of Revenue Bonds. City Attorney Flournoy stated that the sale of these particular revenue bonds to the Texas Water Quality Board was actually a product of the City's recent resolution which authorized the Mayor to execute Component "S". City Attorney Flournoy further stated that the sale of these bonds was similar to the last \$1,555,000 issue by the City and this particular sale to the Texas Water Quality Board represented the State's 25% participation in the amount of \$1,545,000. Following discussion, Comm. W. O. Ricks, Jr., made motion that ordinance be passed on first and final reading under the emergency clause authorizing the City's sale of Sewer Revenue Bonds. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

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

City Manager Westerholm stated that members of the City Commission had been furnished a letter from Mr. Glenn Wideman requesting the City Commission to make a fire zone change on the property bounded by North First Street, Groesbeck, Bremond and North Second Street, including property owned by the Yellow Cab Company for the purpose of operating a retail gasoline station. Mayor Garrison called on Mr. Taylor Miller, Exxon Agent for this area, who stated that Mr. Glenn Wideman had leased this particular Yellow Cab station location, and since 1970, he had used a gasoline pump to ser-

vice cabs. Mr. Miller further indicated that Mr. Wideman now desired to sell gas at this location for retail purposes, but present fire zone location prohibited this type operation. Mr. Miller requested that the property where the Yellow Cab service is located be removed from the fire zone in order to allow a retail gasoline station. City Manager Westerholm stated that several questions should be answered regarding fire insurance before final decision was rendered by the City Commission. Comm. E. C. Wareing stated that he would prefer to receive answers to questions proposed by City Manager Westerholm, and further suggested that action be delayed, regarding decision to remove area from fire zone, until a later meeting. Members of the City Commission were in unanimous agreement with suggestions made by Comm. E. C. Wareing and this item was deferred until a later meeting.

10. Hill, Weiner, Morgan & O'Neal-Civic Center Design-Approval of Contract

Mayor Garrison called on City Attorney Flournoy to explain terms of contract as recently presented by Hill, Weiner, Morgan and O'Neal Architectural Firm. Mayor Garrison also requested further information regarding terms of contract as defined in Art. IV. City Attorney Flournoy stated that he had read copy of contract furnished members of the City Commission. City Attorney Flournoy briefly described information contained within this contract and answered several questions directed from members of the Commission. Mayor Garrison desired that further information be obtained from the architectural firm; Comm. R. A. Brookshire requested that Mr. Jerry E. Hill appear before the City Commission to answer several questions concerning same. Mr. Hill was then invited by phone to appear before members of the Commission and he soon arrived as requested. Mayor Garrison called on Mr. Hill to speak in behalf of contract presented members of the Commission. Mayor Garrison asked Mr. Hill to explain paragraph 2b and 1.3. Mr. Hill stated that his firm would not have any additional changes of contract without City Commission approval. Mayor Garrison suggested that this particular section of the contract be replaced with an agreement between the City and the architectural firm which would allow any additional expenses incurred for services to be confirmed by the City Commission and the architectural firm. Mr. Hill was in agreement with this suggestion as proposed by Mayor Garrison. Following considerable discussion, Comm. E. C. Wareing made motion that contract as presented by Hill, Weiner, Morgan & O'Neal Architectural Firm be approved with amendment as suggested by Mayor Garrison, and that Mayor Garrison be authorized to execute contract. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

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

City Manager Westerholm stated that he had received a letter from Mr. Jerry Clark requesting the 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 further explained that a copy of this particular letter had been furnished members of the Commission for review and consideration. City Manager Westerholm further stated that providing request was approved, Mr. Clark desired to know at what rate the City would sell water to the Corporation. City Manager Westerholm explained that if the Angelina Water Supply Corporation did not receive water from the City, they would pursue drilling an additional well if it proved the most feasible method of supply. Mayor Garrison expressed his concern that this particular water be supplied to the Angelina Water Supply Corporation only if water was available. Comm. R. A. Brookshire expressed his concern that since the City's water level had already decreased, he could not recommend supply of this additional water. Comm. E. G. Pittman expressed his concern that the Angelina Water Supply Corporation attempt to obtain their own well and later seek assistance from the City if necessary. Mayor Garrison further expressed his de-

sire to offer these services only on an emergency basis. Following considerable discussion, Comm. R. A. Brookshire made motion that the City Commission table this particular item until City Manager Westerholm could discuss these recommendations with the Angelina Water Supply Corporation. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded. Comm. E. C. Wareing expressed his concern that the City consider other contracts to furnish water in surrounding areas prior to rendering final decision.

12. Pinewood Park - Street Repairs - Discussion

City Manager Westerholm stated that Mr. Hayne Stokes, Director of Public Works, had submitted a letter to members of the City Commission regarding street repairs in the Pinewood Park area. Comm. E. C. Wareing stated that he would agree to 50-foot R.O.W. of streets in this particular area. Comm. E. C. Wareing then made motion that City be authorized to improve street surfacing in the Pinewood Park area with 50-foot R.O.W. on F. W. Thomas Drive, Percy Simond Avenue and Kirksey Drive as dedicated streets. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

Comm. E. G. Pittman expressed his concern that parking area in this particular area should be paved to prevent erosion of street surfacing. In reply to Comm. E. G. Pittman's request, Comm. E. C. Wareing stated that the Pinewood Park Trust could maintain this particular problem.

13. Water Pollution Control Plant-Authorization to Employ Inspector

City Manager Westerholm stated that the City should consider the employment of an inspector for the construction of the Water Pollution Control Plant. City Manager Westerholm further stated that 55% of this inspector's salary would be refunded from the Federal Grant to be received by the City of Lufkin at a cost to the City of approximately \$375 to \$400 per month. City Manager Westerholm stated that he would recommend the employment of Mr. Boley B. Thomas for this position. Considerable discussion developed and Mayor Garrison expressed concern that the City should use currently employed personnel for this particular job. Comm. W. O. Ricks, Jr., then made motion that City Manager Westerholm be authorized to hire an inspector, and if possible, Mr. Boley B. Thomas, for the new Water Pollution Control Plant. Motion was seconded by Comm. E. G. Pittman and the following vote was recorded:

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

Voting Nay: Mayor Garrison

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

14. Community Impact Program - Traffic Safety Coordinator

City Manager Westerholm stated that Mr. Herman Hearne, Traffic Safety Program Specialist with the Texas Department of Community Affairs, had presented the City with a Community Impact Program which was explained in information furnished members of the Commission. City Manager Westerholm further informed members of the Commission that the Department of Community Affairs would pay the salary of a Traffic Safety Coordinator for two and one-half years if the City would give some indication to continue the Program at the end of this period. City Manager Westerholm briefly described the duties that would be performed by a Traffic Safety Coordinator who would work directly under the City Manager, while also acting as an Assistant City Manager. City Manager Westerholm stated that he would recommend the employment of this individual and also stated that this Program would be a worthwhile project to help improve the city traffic problems. City Manager Westerholm indicated that Nacogdoches, Texas, had recently employed a Traffic Safety Coordinator; and also informed members that he was not aware of any other

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surrounding Cities who had employed a Coordinator since this Program was relatively new. Comm. E. C. Wareing expressed his concern regarding cost for programs presented the City by a Traffic Safety Coordinator. Comm. E. C. Wareing also inquired if the Traffic Safety Coordinator would work for the City or the State. City Manager Westerholm stated that this individual would work directly for the City and program cost would be to the discretion of City Commission members. Following considerable discussion, Comm. E. C. Wareing made motion that the City Manager be authorized to employ a Traffic Safety Coordinator and that the City be authorized to participate in the Texas Traffic Safety Administration Community Impact Program. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

15. City Treasurer - Appointment of Dale Anderson

City Manager Westerholm stated that Mr. Robert Richardson had served as City Treasurer since the City had used the Lufkin National Bank as its depository bank. City Manager Westerholm further stated that by Charter provision, officers of the depository bank must name the City Treasurer. City Manager Westerholm explained that Mr. Robert Richardson had submitted a letter of resignation as City Treasurer and that Mr. Dale Anderson, an officer of the Lufkin National Bank, had been nominated to succeed Mr. Richardson in this position. City Manager Westerholm further stated that this information was furnished members of the City Commission as a matter of record and required no official action.

16. Parks & Recreation Dept. - Bid Tabulations on Equipment

City Manager Westerholm stated that bids had been received and opened on February 16, 1973, at 2:00 P. M., for the following equipment to be used in the Parks and Recreation Department:

COMPANY	ITEM	AMOUNT
Angelina Chevrolet-Cadillac Co. 1710 South First Street Lufkin, Texas 75901	½-Ton Pickup Truck	\$3,079.00
Gibbs Motor Company 912 North Timberland Drive Lufkin, Texas 75901	"	\$3,166.52
Tipton-Billingsley Ford Company 811 South Timberland Drive Lufkin, Texas 75901	"	\$3,138.00

City Manager Westerholm stated that he would recommend low bid submitted by Angelina Chevrolet-Cadillac Company in the amount of \$3,079.00. Comm. E. C. Wareing made motion that the Parks and Recreation Department be authorized to purchase one ½-ton pickup truck from Angelina Chevrolet-Cadillac Company in the amount of \$3,079.00. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

17. Denman Avenue - Traffic Problem - Discussion

Comm. E. G. Pittman inquired as to the status of the traffic situation in front of Lufkin High School at Denman Avenue. City Manager Westerholm stated that he had received a letter from Dr. Langston Kerr, Superintendent of Lufkin Public Schools, requesting assistance from the City Management and the City Commission to a major problem related to traffic problems on Denman Avenue in front of Lufkin High School. City Manager Westerholm stated that a copy of this letter from Dr. Kerr had been furnished members of the City Commission for consideration. City Manager Westerholm stated that this particular traffic problem had been referred to the Texas Highway Department for their consideration and that the Texas Highway Department presently had a resident traffic engineer researching this problem. The Texas Highway

Department had been requested to furnish the City a copy of their findings and recommendations that would be necessary to alleviate this problem.

18. Revenue Sharing - Discussion

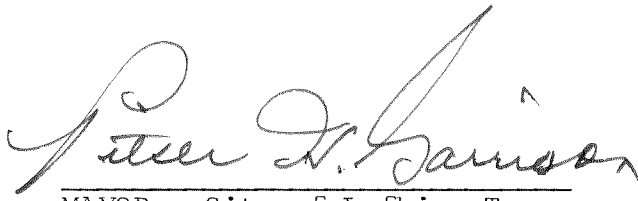
Comm. E. G. Pittman requested that City Commission members call a special work session on Revenue Sharing to determine where these monies would be ear-marked. Mayor Garrison requested that City Manager Westerholm furnish members of the City Commission more detailed information than indicated in list previously provided members of the Commission for consideration.

19. City Ambulance Service - Commendation

Mayor Garrison stated that he had recently received a letter from Mrs. W. L. Hampton, 8202 Glen Lock, Houston, Texas, commending the Lufkin Ambulance Service for its service. Mayor Garrison further expressed to Fire Chief Billy Stephens, who was present, that Mrs. Hampton desired to express a special appreciation to Gerald Lovett and Clyde Wayne Berry who were extremely courteous and directly responsible for the transportation of her Mother, Mrs. Aline Cloud, to a Houston Hospital. Mayor Garrison concluded his remarks and personally commended the Lufkin Fire Department for a job well done.

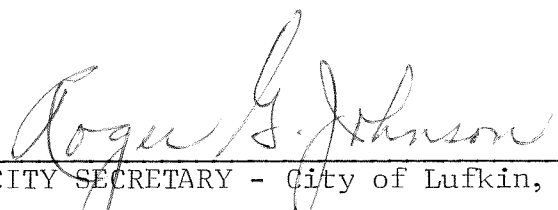
20. Adjournment

There being no further business for consideration, meeting was adjourned at 10:25 P. M.



MAYOR - City of Lufkin, Texas

ATTEST:



CITY SECRETARY - City of Lufkin, Texas