

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON 1st DAY OF DEC., 1964, AT 7:30 P.M.

On the 1st day of December, 1964, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the regular meeting place of said City, with following members thereof, to-wit:

Jim Waters	Mayor
Jack W. Tucker	Commissioner, Ward No. 1
Dayle V. Smith	Commissioner, Ward No. 2
S. Harry Kerr	Commissioner, Ward No. 3
H. E. Rowin	Commissioner, Ward No. 4
Granville Wright	City Manager
Lynn Durham	City Secretary
William D. Perkins	City Attorney

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

1. Meeting opened with prayer by Rev. Bill Lane, Pastor of Happy Hour Baptist Church, Lufkin, who left immediately after being thanked by Mayor Waters for his participation.
2. Minutes of previous meeting were read and approved.
3. City Attorney read caption of ordinance for passage on first reading covering zone change application by W. G. Moseley from R-3 District to LB District on following property:

Block 18 in the J. L. Quinalty League to the City of Lufkin, Texas, having 155' frontage, 500' on the right side, 406' on the left side, and adjoining North side of U. S. Highway 69 between Harbuck and Howard.

City Secretary stated this zone change application was considered by City Planning and Zoning Commission in open hearing in regular meeting of November 12, 1964. Mr. Moseley was present and requested favorable consideration by City Planning and Zoning Commission. A number of questions were directed to Mr. Moseley by City Planning and Zoning Commission members. All property owners within 200' of subject property were sent a written notice of the hearing and no one appeared to protest the change.

After Mr. Moseley left the meeting, the application was discussed in considerable detail and after motion, second, and unanimous vote, the following recommendation was made to City Commission: That zone change not be granted because -

- (a) Was spot zoning.
- (b) Sufficient information was not given warranting need for change as required by zoning ordinance.
- (c) Property on which change requested was adjacent to newly developing private residential property.
- (d) General thinking of City Planning and Zoning Commission is to discourage small business establishments being spread out on a main highway, creating traffic problems, and
- (e) There is ample LB District designation in immediate area available for development.

Edward T. McFarland, attorney, acting as spokesman, and W. G. Moseley, appeared before City Commission to request passage of ordinance on first reading and Mr. McFarland called attention to present status of this area as to business locations and number of businesses now in operation which are non-conforming.

He did not think that spot zoning applied and stated it was his understanding that developer of proposed sub-division in the area, part of which joins Mr. Moseley's property, would also submit application for zone change of similar nature.

After considerable discussion, Commissioner S. Harry Kerr made motion that ordinance be passed on first reading but that second reading will not be considered until all adjoining property owners along Highway 69 agree to have their property changed to LB zone designation and included in new application. Commissioner Jack W. Tucker seconded motion and a unanimous affirmative vote was recorded.

4. City Manager stated it has been the practice of the City for a number of years to grant extra pay or Christmas bonus to employees which is always included in the budget and was recommending City Commission approval of this action this year in order that payroll department may proceed with preparation.

Commissioner Jack W. Tucker stated he did not think approval could be given since budget was not approved. Mayor Waters stated that City has been paying salaries and other expenditures since October 1, 1964, without an approved budget and thought the request should be approved so necessary work can be started.

Commissioner S. Harry Kerr made motion that necessary work be approved and checks be written and held up until after Dec. 15th, which is date set for budget hearing. Commissioner Dayle V. Smith seconded motion and a unanimous affirmative vote was recorded.

5. City Manager presented invoice of Allmon, McKinney & Dudley, Inc., Tyler, Texas (Robert G. Day) in amount of \$3,468.75 and recommended payment covering fees in connection with issuance of \$350,000.00 Water and Sewer Revenue Bonds, Series 1964, authorized by City Commission which was in accordance with contract. Commissioner Dayle V. Smith made motion that invoice be paid. Commissioner Jack W. Tucker seconded motion and a unanimous affirmative vote was recorded.
6. City Manager presented invoice of Everett Griffith, Jr., and Associates covering field work of engineering party making survey for sewer and water lines in amount of \$2,912.86. City Manager stated the work was itemized as to dates, etc., and had been checked by City Engineer and recommended same be approved for payment. Commissioner H. E. Rowin made motion that invoice be ordered paid. Motion seconded by Commissioner Jack W. Tucker and a unanimous affirmative vote was recorded.
7. City Manager stated he had received request from Herman Brown, Manager of Angelina County Chamber of Commerce, that City of Lufkin participate in the proposed parking program in the amount of \$2,000.00. After some discussion, Commissioner Jack W. Tucker made motion that matter be given further study. Commissioner S. Harry Kerr seconded motion and a unanimous affirmative vote followed.
8. Open items were gone over and status developed. In connection with paving program, Commissioner S. Harry Kerr requested that Mr. Ralph Riley be given necessary petition and information to work up paving of Card Drive. City Manager will handle.
9. Mr. Simon Purvis, who was not on the agenda, appeared before City Commission and was granted permission to be heard on what he termed a hardship case. He stated Building Inspector had refused him a building permit for a house to be constructed on his property because area did not comply with zoning regulations. He gave his reasons as to why he felt same was a hardship.

Commissioner Dayle V. Smith made motion that City Commission take no action and that Mr. Purvis check again with Building Inspector and furnish the Building Inspector necessary plans, etc., and that Building Inspector make recommendation to the City Commission. Commissioner Jack W. Tucker seconded motion and a unanimous affirmative vote was recorded.

10. Mr. William M. Bomar and Mr. Bob Boaz of Rotan, Mosley and Company, Houston, Texas, appeared before City Commission and were granted permission to be heard. They requested consideration be given to their firm as financial adviser to City on future proposed bond issues, inasmuch as contract with Bradshaw and DuPuy has terminated. They gave a complete background on their Company and its qualifications.

Mayor suggested, and City Commission concurred, that no action be taken on this verbal application and that a written proposal be submitted which could be considered at later meeting, inasmuch as another Company representative had approached him this date and he had so advised him to follow this procedure.

Mr. Bomar and Mr. Boaz stated they would be happy to submit their proposal in writing and thanked City Commission for hearing them at this meeting.

11. City Attorney stated that trailer ordinance he had recently prepared, copy of which was furnished City Commission members for study by City Manager, should be considered for passage as soon as possible. City Secretary was instructed to place on agenda for first reading at next meeting.

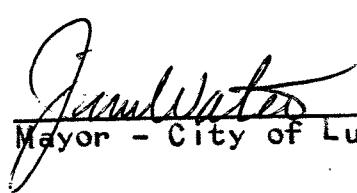
12. City Attorney briefed City Commission on status of several suits and legal matters now pending such as Carroll Crager case, Nursing Home on Moody Street (proposed to be reopened by Hoople Jordan), Nursing Home on Montrose Street (Edna Winthrop, improper zone), proposed change in zone on Camp Street from R-1 to R-2, and proposed ordinance covering Volunteer Firemen.

City Secretary was instructed to place item of zone change on Camp Street on open items and City Attorney would be instructed on future action to take on other items shown above.

13. Commissioner Jack W. Tucker asked City Manager what progress had been made on purchase of street sweeper. City Manager stated specifications are being developed in order to advertise for bids as previously instructed.

14. Commissioner Jack W. Tucker inquired as to what had been done on limb cutters; also hiring of additional help to patrol school crossings. City Manager stated he was checking on limb cutters and when budget approved, could proceed with employing school crossing patrolmen.

15. There being no further business for consideration, meeting adjourned at 10:00 P.M.



Mayor - City of Lufkin, Texas

ATTEST:



Lynn A. Burkhardt
City Secretary - City of Lufkin, Texas