

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 7TH DAY OF APRIL, 1970, AT 7:30 P. M.

On the 7th day of April, 1970, 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:

Earl Nisbet	Mayor
Carl Liese	Commissioner, Ward No. 1
	Commissioner, Ward No. 2
Byron McNeil	Commissioner, Ward No. 3
Edgar C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Lynn Durham	City Secretary

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

1. Meeting opened with prayer by Clyde O. Moore, a visitor from Herty.
2. Mayor welcomed a number of visitors who were present in connection with items on the agenda or as observers. He particularly welcomed the following ladies from the Lufkin Service League who were in attendance as a part of the project of the club.

Mrs. Thomas Moore	Mrs. Whitman Rowland
Mrs. Forrest C. Braselton	Mrs. Nancy Reily
Mrs. Ross W. Vick, Jr.	

3. BMcN made motion that minutes of regular meeting of March 17, 1970, be approved as written. BEA seconded the motion and a unanimous affirmative vote was recorded.
4. RLF read caption of ordinance zoning Herty area which was taken into the City Limits some time previously, and as recommended by the City Planning and Zoning Commission. There was some discussion on this proposed zoning and particularly the MH District on property of Mr. & Mrs. W. B. Bridges. It was brought out that the City Planning and Zoning Commission had deleted a portion of this property from proposed MH District and recommended this deletion be zoned R-3 District since there was some objection by a property owner to the MH District. ECW made motion that ordinance be passed on first reading as recommended by the City Planning and Zoning Commission. BMcN seconded the motion and the following vote was recorded:

Voting Aye: EN BMcN ECW

Voting Nay: WOR BEA CL

Mayor declared the above vote left the item open with no action being recorded.

5. RLF read caption of ordinance for first reading fixing and establishing Sanitary Sewer Service Rates for persons, firms, or corporations discharging industrial wastes into the sewer system of the City of Lufkin. BEA made motion that ordinance be passed on first reading. Motion seconded by CL and a unanimous affirmative vote was recorded.
6. HW requested authority to contribute \$3,000 to Angelina Foster Home which was approved in present budget. CL made motion that City Commission authorize this contribution in the amount of \$3,000. BMcN seconded the motion and a unanimous affirmative vote was recorded.
7. HW requested authority to pay a repair bill on the City Gradall machine to Highway Equipment Company in the amount of \$3,787.21. HW stated funds for this repair work was included in the budget. BMcN made motion that authority be granted to pay this repair bill. WOR seconded the motion and a unanimous affirmative vote was recorded.

8. HW brought up the subject of increasing the size of the Water Main along Loop 287 Right-of-Way from 10" to 12". He stated this work was agreed to in 1967 with the Lufkin Industrial Foundation and if this increase in size was granted, the City would pay the additional cost for increase of 2" in size of main. It was brought out in discussion that Item 4 of minutes of regular meeting of the City Commission of September 19th, 1967, approved laying of 300 feet of such line instead of 3,000 feet and that it was the concensus of all concerned that the 300 feet was a typographical error and that the minutes should have read 3,000 feet. CL made motion that above minutes be corrected to read 3,000 feet instead of 300 feet as shown. BMcN seconded the motion and a unanimous affirmative vote was recorded. BMcN made motion that HW's recommendation of increasing the size of the Water Main along Loop 287 Right-of-Way from 10" to 12" be approved. ECW seconded the motion and a unanimous affirmative vote was recorded.
9. HW called attention to contracts between City of Lufkin and National Steel Maintenance Corporation, Des Moines, Iowa, covering improvements and repairs to elevated storage tanks in Jones Lake Park and Wood Street in amount of \$6,880.00 and \$5,990.00 respectively and annual maintenance contracts on above tanks in amount of \$890.00 and \$770.00. HW stated that we have received invoices on above maintenance fees although City of Lufkin does not have executed copy of these contracts for maintenance. After discussion, BEA made motion that payment be withheld on any of pending invoices with the National Steel Maintenance Corporation until all contracts have been reviewed by City Commission and determined to be satisfactory. CL seconded the motion and a unanimous affirmative vote was recorded.
10. HW stated would like to set date for formal opening of new Fire Station No. 5 in Kurth Drive. After some discussion it was decided that the formal opening would be held on Friday, April 10, 1970, at 10:00 A.M. and HW will handle arrangements.
11. HW gave a report of interest by the Angelina County-City Health Unit to utilize our old City Hall building for office space. No decision on this was made and item will be discussed later by the City Commission.
12. HW stated requested authority to conduct a Civil Defense Emergency Operation Simulation Exercise on May 26 at no cost to the City. CL made motion that this authority be granted as requested by HW. ECW seconded the motion and a unanimous affirmative vote was recorded.
13. HW discussed the possibility of designating two blocks on South Bynum from Ellis to Frank as an extension to Farm-to-Market 324. HW was instructed to contact property owners with regard to participating in costs in improving these two (2) blocks as well as the State Highway Department.
14. HW stated the DETDC was holding a meeting tomorrow in San Augustine on application of City of Hudson for grant for sewer system and was going to attend this and invited any Commissioners to go along if so desired.
15. LD stated that Republican party would like to hold primary on May 2, 1970, at the Westside Fire Station on Ellis Avenue, and the Central Fire Station on Lufkin Avenue; also that the Democratic party had requested the use of the old City Hall building for primary on May 2. BMcN made motion that these requests for use of City buildings for Republican and Democratic primaries on May 2 be granted. CL seconded the motion and a unanimous affirmative vote was recorded.
16. WOR called attention to recent request by Oscar Allen for refund of \$200.00 which he paid into Herty Water Line Fund in 1963 to pay on cost of line and privilege of tying on two houses, which was in addition to tapping fees, etc. WOR further stated that Mr. Allen did not use this privilege until the area was annexed

by City and thought the money should be refunded. Discussion brought out that this money had been expended on the line in 1963 and City had taken over this line when territory was annexed and assumed a note at Lufkin National Bank which has now been paid down to \$4,736.04. ECW made motion that City refund this \$200.00 to Mr. Allen after liquidation of the above note. No second was given to the motion and ECW withdrew same. WOR made motion that three alternatives be offered Mr. Allen as follows:

1. City would refund the \$200.00 at such time as the above note was paid off;
2. That Mr. Allen be given the opportunity of selling these two tie-on privileges to anyone outside the City Limits in Herty area who, in turn, would not have to pay the City to tie on with exception of usual tapping fees; or
3. That City would refund Mr. Allen the difference he paid for tapping fees now in effect and tapping fee charge in effect for inside City Limits customers in 1963, being a difference of \$45.00 per tap or a total of \$90.00.

CL seconded the motion and the following vote was recorded:

Voting Aye: EN BEA BMcN CL WOR

Voting Nay: ECW

Mayor declared motion carried by majority vote.

17. BEA called attention to dangerous traffic condition at pedestrian crossing on Frank Avenue at Memorial Hospital and thought there should be some type of warning light to protect pedestrians. HW will discuss this with the Highway Department before any recommendation is made.
18. EN stated it was his understanding when the Frank Street underpass was completed that traffic flow and parking would be put back on Third Street as it was previously. After some discussion, BMcN made motion that Third Street be placed back in the same traffic pattern it was prior to starting work on the Frank Street underpass. BEA seconded the motion and a unanimous affirmative vote was recorded.
19. The City Commission canvassed the votes cast in Regular City Election held this date (April 7, 1970) to elect a Mayor, City Commissioner Ward No. 1, City Commissioner Ward No. 2 (1 year) and City Commissioner Ward No. 3, with the following results: Out of a total of 3,251 votes -

Mayor

Pitser H. Garrison	2,724
Dayle V. Smith	445
C. E. Nisbet (write-in)	1
Dr. Byford Denman (write-in)	2

City Commissioner, Ward No. 1

David M. Anderson	491
Carl Liese	549
Roy L. Leamon, M.D.	2,115

City Commissioner, Ward No. 2
(1 Year Term)

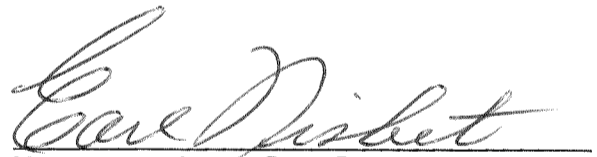
James E. Walsh	1,209
J. T. Hopson	1,859
Bobby Simmons (write-in)	1

City Commissioner, Ward No. 3

Jack Stroud	250
William H. (Bill) Philmon	681
Byron McNeil	1,044
Kenneth R. Crain	1,134

CL made motion that above results of vote be declared as official and that Pitser H. Garrison be declared Mayor, Roy L. Leamon, M.D., be declared Commissioner Ward No. 1 for three year period beginning April 7, 1970, and J. T. Hopson be declared Commissioner Ward No. 2 for the unexpired term of one year beginning April 7, 1970. BEA seconded the motion and a unanimous affirmative vote was recorded. EN stated that it would be necessary to set a special run-off election to determine Commissioner for Ward No. 3 since the two leading candidates Byron McNeil with 1,044 votes, and Kenneth R. Crain, with 1,134 votes, did not receive a majority. RLF stated that special run-off election must be set for a date of not less than 10 days nor more than 20 days from this date. BMCN made motion that date of April 21, 1970, with polling place being First Baptist Church Annex, 202 Bremond (old Methodist Church Bldg.), and that Claud Cook be named Judge and Falcor Perry, Assistant Judge. BEA seconded the motion and a unanimous affirmative vote was recorded.

20. BMCN made motion that Pitser H. Garrison and Dr. Roy L. Leamon, who were present, be sworn as Mayor and Commissioner, Ward No. 1, respectively. CL seconded the motion and a unanimous affirmative vote was recorded. EN than proceeded with the swearing-in ceremony.
21. ECW made motion that RLF be instructed to prepare Resolution of commendation to each of out-going members of the City Commission who have performed their duties in an admirable manner while in office. BMCN seconded the motion and a unanimous affirmative vote was recorded.
22. There being no further business for consideration, meeting was adjourned at 9:00 P. M.


 Mayor - City of Lufkin, Texas

ATTEST:


 City Secretary - City of Lufkin, Texas