

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 10TH DAY OF AUGUST, 1971, AT 7:30 P.M.

On the 10th day of August, 1971, 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
Roy L. Leamon, M.D.	Commissioner, Ward No. 1
J. T. Hopson	Commissioner, Ward No. 2
Kenneth R. Crain	Commissioner, Ward No. 3
Edgar C. Wareing	Commissioner, Ward No. 4
B. 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, and

W. O. Ricks, Jr.	Commissioner at Large, Place A
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being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Mr. Douglas Bowen, Educational Director, Calvary Baptist Church, Lufkin, Texas. Mayor Garrison thanked Mr. Bowen for his participation and invited him to remain for the entire meeting or to leave as he so desired.
2. Mayor Garrison welcomed a number of visitors in attendance and stated the City Commission desired any constructive assistance in solving the problems for the City, as such assistance was always needed.

3. Approval of Minutes

Comm. B. E. Atkinson, Jr., M.D., made motion that minutes of regular meeting of July 20, 1971, be approved as written. Comm. Kenneth R. Crain seconded the motion and a unanimous affirmative vote was recorded.

4. Amendment of Sub-Division Ordinance

City Attorney Flournoy read caption of Ordinance amending present Sub-Division Ordinance #1170 covering revisions in charges for plats, including administrative approval, by the City Planning and Zoning Commission. City Attorney Flournoy stated the City Planning and Zoning Commission had clarified their previous recommendation on this amendment to Ordinance per request by the City Commission. Comm. Kenneth R. Crain made motion that Ordinance be passed on second reading. Motion seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

5. Zone Change Application - Joe Frank Leediker - From C District to C District and Special Use (Art. XV, Items 16 & 19, Private Clubs & Dance Halls in Zoning Ordinance), covering property located North of St. Louis SW Railroad near its intersection with Timberland Drive.

City Attorney Flournoy read Ordinance for first reading covering the above zone change. Mayor Garrison stated that this zone change had been considered by the City Planning and Zoning Commission in regular meeting of July 8, 1971, and it was their unanimous recommendation that City Commission approve same. Mayor Garrison inquired if any persons present to object to the zone change and there were none. After some discussion, Comm. Kenneth R. Crain made motion that Ordinance be passed on first reading. Motion seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous affirmative vote was recorded.

6. Zone Change Application - Mrs. Hattie Norton - From R-1 District to LB District on Property Located 300 Feet South of U. S. Highway 69 (Denman Avenue) near its Intersection with Loop 287.

City Attorney Flournoy read Ordinance for first reading covering above application. Mayor Garrison stated that this zone change had also been considered by the City Planning and Zoning Commission in regular meeting of July 8, 1971, and recommended that zone change be approved by the City Commission. Mayor Garrison inquired if any persons present to object to the change and there were none. After a short discussion, Comm. E. C. Wareing made motion that Ordinance be passed on first reading. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

7. Vumore TV Cable Operations - Report by Merl Saxon

City Manager Westerholm stated that Mr. Merl Saxon had completed his survey of Vumore TV Cable Operations, approved recently by the City Commission, and had submitted his report. It was the decision of the City Commission that no action be taken on the report until next regular meeting. However, Mayor Garrison stated that copy of the report should be given to Vumore Company, which was concurred in by other members of the City Commission. This item will be on the agenda for next regular meeting.

8. Traffic Flow

City Manager Westerholm stated had contacted Henningson, Durham & Richardson, Inc., the City's Consulting Engineers, with regard to making a traffic and parking survey in the downtown area, at a sum not to exceed \$7,500. He stated he had received a letter from this firm outlining the items that would be covered in their survey, giving the cost for same not to exceed \$7,500 and to be completed within 120 days if authority to proceed with such survey was granted. City Manager Westerholm stated that Henningson, Durham & Richardson, Inc., was certainly a reputable concern and should do a good job. Comm. Kenneth R. Crain made motion that the City approve the proposal of Henningson, Durham & Richardson, Inc., to make the downtown traffic and parking survey for the City at a cost not to exceed \$7,500. Motion seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous affirmative vote was recorded.

9. Lufkin Telephone Rate Schedule

Mayor Garrison stated that the City Commission had been in consultation with Attorney John Gano, the City's Attorney, regarding the telephone rate increase and stated Mr. Gano recommended that no action be taken at this time by the City Commission since he was attempting to get an early date for trial of the case on its merits and if was unable to accomplish this, would recommend a new rate hearing. The City Commission concurred and will await further developments.

10. Curb & Gutter Ordinance - Wildbriar, Robdelk & Skip Streets

City Attorney Flournoy read Ordinance, copy of which was passed out to the City Commission members, covering curbing and guttering of Wildbriar Drive from John Redditt Drive to Southwood Drive, Robdelk Street from Wildbriar Drive to Reen Drive, and Skip Street from Reen Drive to Wildbriar Drive, which covers assessment against property owners for such cost. He stated the majority of property owners on these streets had requested through petition such City Commission action. Comm. E. C. Wareing made motion that Ordinance be passed on first and final reading. Motion seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

11. City Planning & Zoning Commission Members - Jerry Hill & John Doyal

Mayor Garrison stated the present three-year term of Harold E. Kaemmerling and Carl Lively, as members of the City Planning and Zoning Commission, expired on June 30, 1971, and that these two members had expressed a desire to be replaced, although they have

been serving beyond the expiration date of their term of office. Comm. B. E. Atkinson, Jr., M.D., made motion that John W. Doyal of the Lufkin National Bank and Jerry E. Hill, Architect, be appointed as members of the City Planning and Zoning Commission for the three-year period ending June 30, 1974, in place of Messrs. Kaemmerling and Lively. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

12. Amendment to Zoning Ordinance - Amusements

City Attorney Flournoy read Ordinance, copy of which was previously furnished to the City Commission members, covering recommendation of City Planning and Zoning Commission that Article XV, Section 8, of Zoning Ordinance #1146, be amended to allow temporary commercial amusement enterprises initiated and sponsored by and held under the direction of local non-profit clubs and organizations, be permitted on property owned by the City of Lufkin at the discretion of and under the rules promulgated by the City Planning and Zoning Commission without the necessity for a zone change; this covering enterprises such as circuses, carnivals, rodeos, pony rides, etc. City Attorney Flournoy further stated that such temporary permits had been previously granted by the City Commission but was in conflict with the zoning ordinance and this amendment would rectify this conflict. After some discussion, Comm. Roy L. Leamon, M.D., made motion that Ordinance be passed on first reading. Motion seconded by Comm. Kenneth R. Crain and a unanimous affirmative vote was recorded.

13. Invoices - Henningson, Durham & Richardson, Inc.

City Manager Westerholm presented invoices from Henningson, Durham & Richardson, Inc., in the amount of \$27,782.40 and \$884.16, which he recommended for payment in that sufficient funds were now available. Comm. J. T. Hopson made motion that approval be granted to pay the above invoices of Henningson, Durham & Richardson, Inc. Motion seconded by Comm. Kenneth R. Crain and a unanimous affirmative vote was recorded.

14. Invoice - Joe M. Nall

City Manager Westerholm presented invoice from Joe M. Nall and Associates for professional services in connection with the Lufkin Telephone Exchange Rate Case in the amount of \$754.25 and recommended payment of this invoice. Comm. Kenneth R. Crain made motion that the above invoice to Joe M. Nall & Associates, in the amount of \$754.25 be authorized for payment. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous affirmative vote was recorded.

15. Invoice - Merl Saxon

City Manager Westerholm presented invoice from Merl Saxon in the amount of \$625.00 covering Vumore Operations report recently authorized by the City Commission and recommended payment of this invoice. Comm. J. T. Hopson made motion that approval be granted to pay this invoice. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

16. Request for Water Service on Homer-Alto Rd. by R. H. Duncan and Other Residents

City Manager Westerholm stated that at last regular City Commission meeting, instructions were issued that map of area involved in the request for water service by Mr. Duncan and other residents be prepared with relationship to City lines and presented at this meeting. City Manager presented the plat as instructed, which was studied by the City Commission members. Hayne Stokes, Public Works Director, recommended that if approval was granted to furnish water as requested, Mr. Duncan and others be instructed to comply with state laws with regard to plumbing as well as all City ordinances, and that the laying of such lines should be at no expense to the City, but under the supervision and inspection of the City and that such lines be given to the City with no strings attached. It was brought out in dis-

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cussion that Mr. Duncan's sub-division was beyond the one-mile extraterritorial jurisdiction of the City. Comm. Kenneth R. Crain made motion that authority be granted for Mr. Duncan and others to tie-on to City service off Highway 103 West, but that all state plumbing laws and City ordinances be complied with and the laying of the lines be under the supervision and inspection of the City of Lufkin. Comm. Roy L. Leamon, M.D., seconded the motion and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. Kenneth R. Crain, Roy L. Leamon, M.D., and E. C. Wareing

Voting Nay: Comms. B. E. Atkinson, Jr., M.D., and J. T. Hopson

Mayor declared motion carried by a majority vote of 4 to 2.

17. Drive-In Window - Sale of Plastic Garbage Bags

Comm. J. T. Hopson inquired as to the status of making provisions for sale of plastic garbage bags at water office drive-in window instead of customers having to come into office to make such purchases. John Wilkins, Finance Director, who was present, stated he was in the process of making the necessary provisions to handle such purchases at the water office drive-in window.

18. Railroad Crossings

Comm. Kenneth R. Crain inquired as to the status of repairing other railroad crossings within the City. City Manager Westerholm stated had been in touch with Southern Pacific Railroad Company officials and was advised materials were being assembled for repairing crossings on Abney, which should begin shortly.

19. Up-Grading Master Plan

Comm. E. C. Wareing inquired as to status of up-grading the City's Master Plan. City Manager Westerholm stated had checked into this and there was very little chance of doing any work during the present fiscal year due to Federal funds not being available, but would keep the City Commission advised on this matter.

20. Traffic Congestion on Denman Avenue Near High School

Comm. Roy L. Leamon, M.D., suggested that measures be taken to relieve traffic congestion on Denman Avenue at Lufkin High School, which would be opening soon, during the time of 3:00 P.M. to 3:15 P.M. daily. He stated that students driving out of school parking lots created a real safety hazard which should be studied and relieved as soon as possible. City Manager Westerholm stated he would get in touch with school officials and others involved to try and eliminate this hazard. Comm. B. E. Atkinson, Jr., M.D., stated this matter was previously discussed and proposal made for other outlets.

21. Policy on Water Service by City

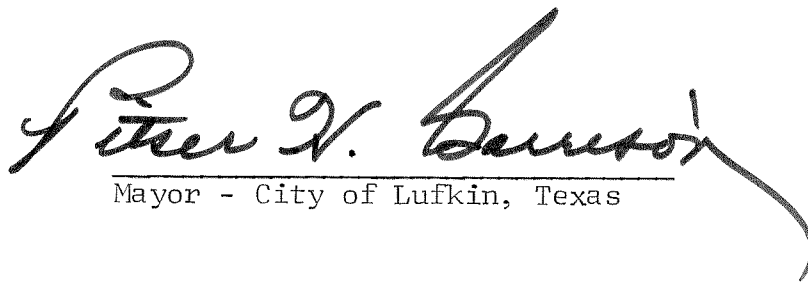
Comm. E. C. Wareing suggested that City Manager and City Attorney make study and come up with a recommendation on a policy that might be followed by the City in the future of furnishing water service to:

- (1) People outside City Limits but within its extraterritorial jurisdiction, and
- (2) People outside City Limits as well as outside its extraterritorial jurisdiction.

The City Commission members concurred in this suggestion and City Manager Westerholm stated he would make such a study and recommendation later.

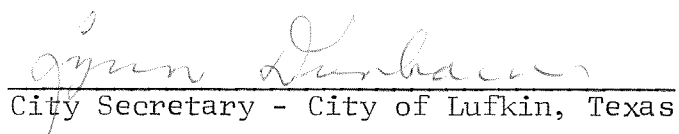
22. Adjournment

There being no further business for consideration, motion was made by Comm. Kenneth R. Crain and seconded by Comm. J. T. Hopson that meeting adjourn, the time being 8:45 P. M.



Mayor - City of Lufkin, Texas

ATTEST:



City Secretary - City of Lufkin, Texas