

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 18TH DAY OF APRIL, 1972, AT 7:30 P.M.

On the 18th day of April, 1972, 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
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	Dep. City Secretary

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

1. Meeting opened with prayer by Rev. David Blancett, Pastor of Woodlawn Baptist 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 and expressed appreciation for their interest.
3. Open Hearing-Proposed Annexation-Property Off Highway 94 West

Mayor Garrison opened hearing on proposed annexation of area as advertised in Lufkin News on April 2, 1972, covering property located West of present City Limits line from Loop 287 and South of State Highway 94. Mayor Garrison called attention to the location of this area and asked if there were any persons present appearing in favor of this annexation. Mr. Woody Gann was present along with several other persons appearing in favor of this annexation. Mr. Gann stated that the annexation of his property would be an asset to the City and without City water and sewer services he would not be able to function at full capacity. Mr. C. M. Milligan was present appearing in objection to this annexation. Mr. Milligan stated that he owned five (5) acres of land and two houses in this area and that he was opposed to taking in only one side of Highway 94. Comm. E. C. Wareing inquired about persons living on the opposite side of Highway 94 from Mr. Gann's property. Mr. Gann stated that property owners across State Highway 94 from his property had no interest in this proposed annexation. Comm. E. C. Wareing stated that the City should control both sides of Highway 94 regardless of how low it was because it may need services in the future. Comm. Roy L. Leamon, M.D., asked City Manager Westerholm how many people were in favor of annexation on Mr. Gann's side of Highway 94. City Manager Westerholm stated that there were approximately 40 people in favor of annexation in this immediate area. Comm. E. C. Wareing asked Mr. Gann how many more feet in front of his property, if annexed, would be required for R.O.W. Mr. Gann stated that it would be 20 feet and that he would donate this land if necessary. Comm. Roy L. Leamon, M.D., expressed the thought that he would like to hear more people in favor of this proposed annexation between the TSE Railroad and Highway 94.

Mayor Garrison declared the hearing closed and inquired if there was any action that the City Commission might desire to take.

Comm. E. C. Wareing made motion that area South of the North side of the TSE Railroad R.O.W. be annexed and ordinance approved on first reading. Comm. Roy L. Leamon, M.D., seconded the motion. Before vote was taken, City Attorney read caption of Ordinance covering annexation of the area set out in above motion and the following vote was unanimous in the affirmative.

Comm. E. C. Wareing made motion that other property within this immediate area considered for annexation be further investigated by members of the City staff, and that annexation be postponed; also, that a section North of Highway 94, 600 feet deep, should be considered for annexation in a separate tract. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

It was the general concensus of the City Commission members to hold the balance of property contained in this original request for annexation until a later date. Comm. Roy L. Leamon, M.D., further suggested that the City staff, when investigating this area, consider the amount of revenue that the City would realize if this property was annexed.

4. Approval of Minutes

Comm. Roy L. Leamon, M.D., made motion that minutes of regular meeting of April 4, 1972, be approved. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

5. Zone Change Application - Haney Oil Company, Huntsville, Texas, from R-3 District to A District

City Attorney Flournoy read caption of ordinance for second reading changing zone from R-3 District to A District covering property on Lots 1, 3 and 4 and portion of Lot 2, Block 31 of the Denman Addition. Comm. Roy L. Leamon, M.D., made motion that zone change application of Haney Oil Company, Huntsville, Texas, from R-3 District to A District be approved on second and final reading as recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

6. Telephone Rates - Approval of Ordinance

City Attorney Flournoy stated that Mr. Larry Ross, Executive Vice-President of Lufkin Telephone Exchange, Inc., had called concerning two items on the new telephone rate ordinance proposed by the City Commission. City Attorney Flournoy further stated that Mr. Ross was present and could answer questions regarding these items. A number of questions were directed to Mr. Ross by members of the City Commission. Mr. Ross stated that Item 7 of Section I of the proposed rate ordinance, regarding multi-party residence telephone monthly rates, was a service not offered to persons living in City Limits and should not be included in this ordinance. Mayor Garrison stated that it may be in the best interest of the City to retain Item 7 regarding multi-party residence telephone rates, because these rates are applicable in determining the rate of return on investments of the Lufkin Telephone Exchange, Inc. Mr. Ross also stated that Section II of the proposed ordinance may burden members of the City Commission with extra business and also deter the operation of the telephone company. Mr. Ross further stated that if the City Commission approved all contracts between patrons and the Lufkin Telephone Exchange, such contracts may become too numerous. Following a lengthy discussion, Comm. E. C. Wareing made motion that the proposed telephone rate ordinance be passed on second and final reading omitting the word "approval" in Section II of the ordinance. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

7. Proposed Annexation-Slack School & Other Neighborhood Areas

City Manager Westerholm reported that the City Planning and Zoning Commission had reconsidered the Slack School area and other neighborhood areas as requested by the City Commission and it was their recommendation that if property owners within this same area desired annexation to the City, petitions be signed to this effect for area to be considered at a later date. Members of the City Commission accepted this recommendation by the City Planning and Zoning Commission.

8. Broussard St. - Extension Through Winston Park - Discussion

City Manager Westerholm reported that both the City Planning and Zoning Commission and the City Commission, in 1965, recommended the extension of Broussard Street through Winston Park to Timberland Drive. City Manager Westerholm further explained that Mr. R. B. Thompson, Developer, had called regarding the extension of this street through Winston Park since no action had been completed after 1965. City Manager Westerholm stated that the City Planning and Zoning Commission had reconsidered this street extension during a meeting of April 13, 1972, and that it was their conclusion not to recommend extension of Broussard Street and that the City Commission be informed of this action. It was the general consensus of the City Commission members not to extend Broussard Street through Winston Park as recommended by the City Planning and Zoning Commission.

9. Rufus Duncan - Application for Sewer Services - Thousand Oaks Sub-Division

City Manager Westerholm stated that he had received a letter from Mr. Bobby Mott, Sewer Treatment Plant Superintendent, who had conducted an investigation of the Thousand Oaks Sub-Division regarding estimates on maintenance and operations costs. City Manager Westerholm further stated that copies of this letter had been distributed among members of the City Commission for consideration. Comm. E. C. Wareing asked City Manager Westerholm if the City served any other areas outside the extraterritorial jurisdiction of the City. City Manager Westerholm stated that the Cedar Grove area was the only other area served with sewer services outside the extraterritorial jurisdiction of the City. Comm. E. C. Wareing stated that the City should consider the possibility of tripling the rates for outside the extraterritorial jurisdiction of the City instead of the present method. Following a lengthy discussion, it was the general consensus of the City Commission members that sewer services first be completed for citizens living inside the City Limits before any further sewer services outside the City Limits are granted. Comm. E. C. Wareing then made motion that request as presented by Rufus Duncan for sewer service in the Thousand Oaks Sub-Division be denied at this time. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

10. Street Department - Bids on Used Dump Trucks

City Manager Westerholm stated that the City had advertised for bids on two used 1968 - 1971 two-ton dump trucks equipped with 5 cubic yard heavy-duty dump beds, but only one bid was received being from D & H Contracting Company, Lufkin, Texas, in the amount of \$5,750.00. Following a brief discussion, Comm. W. O. Ricks, Jr., made motion that the City be authorized to purchase these two dump trucks from D & H Contracting Company in the amount of \$5,750.00. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

11. Street Department - Bids on New Tractor with Mower Attachment

City Manager Westerholm stated that the City had advertised for bids on a new tractor with mower attachment for delivery within two weeks. City Manager Westerholm further stated that only one bid had been received, as advertised, on April 17, 1972, being from W. A. DuBose & Son Company, Lufkin, Texas, in the amount of \$3,991.00, which could possible have been due to the fact that two weeks delivery had been specified. Following discussion on this item, City Manager Westerholm recommended

that the City try to do without the tractor and mower this summer and re-advertise for bids during the fall season when prices would be lower and a short delivery date would not be necessary. It was the general consensus of the City Commission to delay the purchase of this tractor and mower in accordance with the recommendation of City Manager Westerholm.

12. Texas Highway Department - Safety Lighting - Intersection U. S. Highway 59 North and Loop 287

City Manager Westerholm stated that the State Highway Commission had passed Minute Order #66072 on April 3, 1972, which provided for the assistance in the installation of safety lighting at the intersection of U. S. Highway 59 and Loop 287 in the North part of the City. City Manager Westerholm stated that if the City Commission desired these services be rendered by the State Highway Department, a resolution accepting the provisions of the State Highway Department Minute Order must be passed. Comm. Roy L. Leamon, M.D., made motion that the City of Lufkin accept the provisions contained in Minute Order #66072 for assistance in the installation of safety lighting at the intersection of U. S. Highway 59 and Loop 287. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

13. Angelina County-City Health Department - Appointment of Members and Director

City Manager Westerholm stated that it would be necessary for the City Commission to appoint the Angelina County-City Health Department and its director, Dr. Alfred Hamilton, to direct the City's Water Pollution Abatement Program. Comm. Joe E. Rich made motion that the Angelina County-City Health Department and its director, Dr. Alfred Hamilton, be appointed as recommended by City Manager Westerholm to conduct this activity. Motion was seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

14. Water Pollution Control Plant - Approval of Plans

City Manager Westerholm stated that plans for the new Water Pollution Control Plant had been received and reviewed and these plans would need approval of the City Commission. Several comments were made and a brief discussion was held in regard to these plans and Comm. E. C. Wareing made motion that plans be approved. Comm. Joe E. Rich seconded the motion and a unanimous affirmative vote was recorded.

15. Park Application Project - Appointment of Officers

City Manager Westerholm stated that the Park Application Project would need two responsible officers to conduct the affairs involved in the application. City Manager Westerholm further stated that it was his recommendation to appoint Max Griffin, Parks & Recreation Director, as the Park Application Project Officer and John E. Wilkins, City Finance Director, as Fiscal Officer to receive and disburse Federal Funds for the Project. Comm. E. C. Wareing made motion that Max Griffin, Parks & Recreation Director and John E. Wilkins, City Finance Director, be appointed to these positions as recommended by the City Manager to conduct the affairs of the City's Park Application Project. Motion was seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

16. Approval of Invoices - HDR

City Manager Westerholm stated that several invoices received from HDR had not been paid because funds were not available. City Manager Westerholm further stated that it was his recommendation to now pay these invoices as listed below since the money had been made available:

Invoice No. D-2774	\$ 461.00
Invoice No. D-2801	13,891.20
Invoice No. D-2822	51,966.72
Invoice No. D-2857	489.36
Invoice No. D-2916	697.07

Comm. E. C. Wareing made motion that invoices in the above amounts be paid since the City now had funds available. Motion was seconded by Comm. Roy L. Leamon, M.D., and the following vote was recorded:

Voting Aye: Comms. Roy L. Leamon, M.D., 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 approved by a vote of 6 to 1.

17. Comm. E. C. Wareing - Appointment to Mayor Pro Tem

Mayor Garrison stated that Comm. E. C. Wareing was the senior member of the City Commission and therefore qualified for appointment to Mayor Pro Tem. Comm. Joe E. Rich made motion that Comm. E. C. Wareing be appointed as Mayor Pro Tem. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

18. International Aerial Mapping - Discussion of Payments

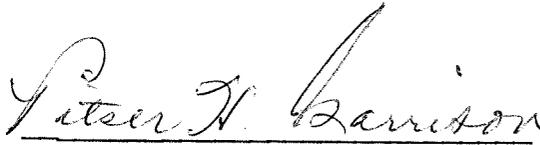
City Manager Westerholm stated that in order for the International Aerial Mapping personnel to continue their work, a ground control survey costing the City between \$6,000 and \$7,000 would first have to be made. City Manager Westerholm further stated that this cost would be for control points and bench marks which must be established before any more work could be completed. Comm. E. C. Wareing made motion that the City Manager be authorized to continue payment of invoices in this program as long as it did not exceed \$12,000, which had been budgeted for the remainder of this year. Motion was seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

19. Resolution-Recognition of Cripple Children During Rodeo Week

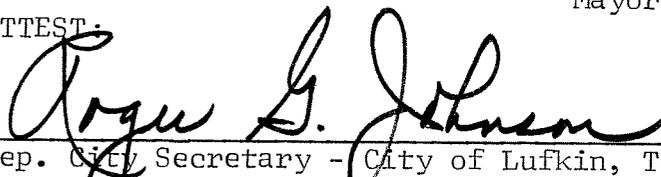
Comm. Joe E. Rich stated that the Lions Club Rodeo Association was conducting their annual benefit rodeo from April 26 through April 29, 1972, for cripple children. Comm. Joe E. Rich recommended that the City Commission consider passage of a resolution designating the recognition of cripple children during this week. Comm. Joe E. Rich then made motion that the City Attorney draft a resolution to this effect for passage at the next regular meeting. Motion was seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

20. Adjournment

There being no further business for consideration, meeting was adjourned at 9:25 P. M.


 Mayor - City of Lufkin, Texas

ATTEST:


 Dep. City Secretary - City of Lufkin, Texas