

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN,
TEXAS, HELD ON THE 1ST DAY OF FEBRUARY, 1972, AT 7:30 P. M.

On the 1st day of February, 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
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
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

Roy L. Leamon, M.D.	Commissioner, Ward No. 1
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being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Douglas Bowen, Educational Director, Calvary Baptist 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 and expressed appreciation for their interest.

3. Approval of Minutes

Comm. B. E. Atkinson, Jr., M.D., made motion that minutes of regular meeting of January 18, 1972, be approved. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

4. Codification of Ordinances

City Attorney Flournoy stated that the City Commission had been furnished copies of the memorandum supplied by Mr. John S. Seabold of the Municipal Code Corporation concerning material that had been deleted from the City Ordinances. Mayor Garrison suggested that the City Commission read Chapters 1 through 7 of the Codification of Ordinances in preparation for consideration at the next regular meeting. Following further discussion, it was also decided that employees of the City staff check the Codification of Ordinances against the actual ordinances as a final verification.

5. Proposed Permanent Zoning of Newly Annexed Areas
Annexed by Ordinances 1447 and 1461

City Attorney Flournoy read caption of Ordinance for first reading covering proposed zoning of area along Loop 287 West of U. S. Highway 59 North to Kurth Drive (Ord. 1461) and Ellen Trout Zoo area (Ord. 1447). Mayor Garrison asked if there were any persons present objecting to this proposed permanent zoning. Mr. & Mrs. James E. Newman were present and had several questions in regard to proposed permanent zoning of the area along U. S. Highway 59 North between Southern Pacific Railroad and U. S. Highway 59, North of Loop 287 to C District. Mr. Newman asked that this area be reconsidered for permanent zoning to LM District because of the nearness to the railroad and due to the adjacent property recommended for LM District West of Southern Pacific Railroad. After some discussion, Comm. E. C. Wareing made motion that proposed permanent zoning of this area be referred back to the City Planning and Zoning Commission for reconsideration in line with Mr. Newman's request. Motion was seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous affirmative vote was recorded. There were no persons present to object to the proposed permanent zoning of area covering the Lufkin Country Club to R-2 District and Special Use (Ord. 1461) and R-1 District covering Ellen Trout Zoo area (Ord. 1447) and Comm. J. T. Hopson made motion that Ordinance be passed on first reading covering proposed permanent zoning of these

areas as recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

Annexed by Ordinances 1478 and 1482

Mayor Garrison read caption of Ordinance for first reading covering proposed permanent zoning, as recommended by the City Planning and Zoning Commission, covering property South of Loop 287 and West of U. S. Highway 59 South (Ord. 1482) from R-1 District to MH and C Districts; and small area East of U. S. Highway 59 South (Ord. 1478) from R-1 District to MH District. There were no persons present to object to this proposed permanent zoning and Comm. E. C. Wareing made motion that Ordinance be passed on first reading. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

Annexed by Ordinance 1479

Mayor Garrison read caption of Ordinance for first reading covering proposed permanent zoning, as recommended by the City Planning and Zoning Commission, covering property annexed by above Ordinance 1479 North and South of U. S. Highway 69 East from Loop 287. Mr. Albert Slack and Mr. Dale Bollier were present to object to the proposed permanent zoning in that they desired consideration be given to including MH and A Districts in the area. Mr. Bollier stated he already has apartments in the proposed R-1 District. Mr. Slack desired consideration be given to allowing MH District. Following considerable discussion, Comm. E. C. Wareing made motion that this be referred back to the City Planning and Zoning Commission for further consideration. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

Annexed by Ordinances 1480 and 1481

Mayor Garrison read caption of Ordinance for first reading covering proposed permanent zoning of Brookhollow #4 Addition (Ord. 1480) and Trailwood Village (Ord. 1481) as recommended by the City Planning and Zoning Commission; all of these areas lying West of Loop 287 near Old Union Road intersection. There were no persons present to voice objection to proposed permanent zoning to R-1 District for Brookhollow #4 Addition (Ord. 1480) and Comm. E. C. Wareing made motion that Ordinance be passed on first reading. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

There were approximately 12 persons present objecting to proposed permanent zoning of Trailwood Village area. Mayor Garrison called on Mr. John Henderson, President of Home Savings & Loan Association, Developers of this area, to speak in behalf of this proposed permanent zoning. Mr. Henderson stated that this 90 acre development would have townhouses, park and recreation facilities, apartments and five or six acres would be dedicated for a shopping center, if proposed zoning was approved. Mr. E. M. Tate, acting as spokesman for those persons appearing in opposition listed the following objections:

- (a) Did not desire any commercial establishments in the area;
- (b) Did not desire any apartments in the area;
- (c) Thought property values would decrease if proposed zoning was approved;
- (d) Desired the entire area to remain R-1 District; and
- (e) Requested that the proposed permanent zoning of this area, Trailwood Village, be referred back to the City Planning and Zoning Commission for further consideration.

Comm. E. C. Wareing made motion that the proposed permanent zoning of this area be referred back to the City Planning and Zoning Commission for further consideration. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded. City Secretary was instructed by the City Commission to secure name and address of all persons appearing in opposition to the proposed permanent zoning of Trailwood Village area and to advise them date for rehearing by the City Planning and Zoning Commission.

6. Sewer Revenue & Civic Center Bonds - Discussion

Mayor Garrison called on Mr. Tom Wolf of the First Southwest Company and Fiscal Agent for the City. Mr. Wolf reported that information regarding the sale of these bonds had been delivered to City Manager Westerholm and distributed to the City Commission for study. Mr. Wolf stated that he could sell these bonds on February 29, and be prepared to travel to New York tentatively on the 16th, 17th and 18th of March, pending City Commission approval. Following considerable discussion, Comm. E. C. Wareing made motion that March 7, 1972, 7:30 P. M., Council Room, City Hall Building, be set for date of bond sale to allow more time for consideration. Motion was seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous affirmative vote was recorded. The City Commission decided to send representatives to New York either March 17 through 18 or 24 through 25, pending final date verification.

7. Ordinance Designating School Crossing at U. S. Highway 59 South and Irwin Street

City Attorney read caption of Ordinance designating a school crossing at U. S. Highway 59 South and Irwin Street and establishing a 30 m.p.h. speed zone at certain times. Following a brief discussion, Comm. Joe E. Rich made motion that this ordinance be approved on first reading. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

8. Passage of Election Order - April 4, 1972

City Attorney Flournoy stated that a problem existed with the City Wards and County precincts since County election precincts cannot split a City ward. City Attorney Flournoy stated that the election precincts have been changed and the City ward lines do not coincide with the County precinct lines. City Attorney Flournoy stated that we might have to amend City Charter to correct this problem. Following considerable discussion, Comm. B. E. Atkinson, Jr., M.D., proposed that Mrs. Elie Smith, Jr., be designated as Election Judge for the April 4, 1972, City Election. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded. Comm. W. O. Ricks, Jr., proposed that Mr. Ernest L. Bartlett, Jr., be appointed Assistant Election Judge. Comm. Joe E. Rich seconded the motion and a unanimous affirmative vote was recorded. City Attorney Flournoy read caption of Ordinance setting April 4, 1972, for the regular City Election. Comm. J. T. Hopson made motion that this ordinance be passed on first reading and be amended at a later meeting if necessary. Motion was seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous affirmative vote was recorded.

9. Kurth Memorial Library - Discussion of Plans

City Manager Westerholm stated that the traffic flow and the library parking plan studies had been made by Henningson, Durham & Richardson in accordance with the information furnished to the City Commission. Comm. B. E. Atkinson, Jr., M.D., made motion that the library parking be restored to its original condition before library construction began. Comm. W. O. Ricks, Jr., seconded the motion and the following vote was recorded:

Voting Aye: Comms. B. E. Atkinson, Jr., M.D., and W.O. Ricks, Jr.

Voting Nay: Mayor Garrison, Comms. Joe E. Rich, J. T. Hopson,
E. C. Wareing

Mayor Garrison declared the motion defeated by a vote of 4 to 2. Comm. Joe E. Rich made motion that proposed plan of Henningson, Durham & Richardson, Inc., on the library parking and traffic study be accepted. Comm. J. T. Hopson seconded the motion and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. Joe E. Rich, J. T. Hopson,
E. C. Wareing

Voting Nay: Comms. B. E. Atkinson, Jr., M.D., and W. O. Ricks, Jr.

Mayor Garrison declared the motion was approved by a vote of 4 to 2.

Comm. E. C. Wareing made motion that the brick wall across the street from the library situated on the First Street side of Calder Square be removed. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded. Comm. W. O. Ricks, Jr., made motion that the brick wall around the library on the Southeast side be removed back to 20 feet from the corner to allow better driving visibility. Mayor Garrison suggested that the City Commission consult the library architect before deciding to remove this wall and Comm. W. O. Ricks, Jr.'s, motion died for lack of a second.

Comm. E. C. Wareing made motion that City ordinances pertaining to height of fences be enforced whenever applicable. Motion was seconded by Comm. B. E. Atkinson, Jr., M.D., and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. E. C. Wareing, J. T. Hopson, Joe E. Rich and B. E. Atkinson, Jr., M.D.

Voting Nay: Comm. W. O. Ricks, Jr.

Mayor Garrison declared the motion was approved by a vote of 5 to 1.

10. Approval of Invoices - HDR & National Soil Service, Inc.

City Manager Westerholm stated that the City had received invoices from Henningson, Durham & Richardson, Inc., in the amount of \$1,948.18 covering downtown traffic survey studies and from the National Soil Service, Inc., in the amount of \$1,894.50 covering sewer plant site soil analysis. Comm. E. C. Wareing made motion that both invoices be paid as recommended by City Manager Westerholm. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

11. Used Dragline - Discussion

City Manager Westerholm stated that after further consideration of a previous bid on a used dragline for the amount of \$11,475.00, it was their recommendation that the City purchase this machine from Nichols Machinery Company. Following considerable discussion, it was the general consensus of the City Commission that more bids be collected before the City purchases this used dragline. Mayor Garrison stated that the purchase of this dragline could be approved by telephone in necessary after more bids had been received.

12. Resolution in Honor of Reagan Parker

Comm. B. E. Atkinson, Jr., M.D., made motion that the City Attorney prepare a resolution in honor of Reagan Parker, previously City Manager and Mayor of Lufkin who passed away. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded. Following further discussion, it was the opinion of the City Commission that City Hall be closed during this funeral in order that all may attend.

13. Natatorium Swimming Pool - Discussion

Comm. B. E. Atkinson, Jr., M.D., stated that he had recently discussed the possibility of restoration of the old Natatorium swimming pool with Mrs. C. H. Harrell, 1518 Lotus Lane. Comm. B. E. Atkinson, Jr., M.D., further stated that the City needed more swimming pools and that arrangements should be made to establish cost of repairs with the old Natatorium swimming pool site. City Manager Westerholm remarked that he would conduct this study and report the results of this study at a later meeting.

14. Adjournment

There being no further business for consideration, meeting was adjourned at 10:45 P. M.

Peter W. Harrison
Mayor - City of Lufkin, Texas

ATTEST:

Roger B. Johnson
Dep. City Secretary - City of Lufkin, Texas