

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE 8TH DAY OF DECEMBER, 1970, AT 7:30 PM

On the 8th day of December, 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:

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
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 Rev. L. D. Bell, Pastor of New Zion Baptist Church, Lufkin, Texas, who was thanked by Mayor Garrison for his participation and was invited to remain for the entire meeting if he so desired.
2. Mayor Garrison welcomed several visitors who were present as observers or in connection with items on the agenda and expressed appreciation to these visitors for their presence and interest in the affairs of the City.

3. Approval of Minutes

Comm. Kenneth R. Crain made motion that minutes of regular meeting of November 24, 1970, be approved as written. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

4. Awarding of Bid for Ambulance Unit

City Manager Westerholm stated bids had been received and opened on one Ambulance unit per the City's recent advertisement. These bids are shown below:

<u>BIDDER</u>	<u>MAKE</u>	<u>CHASSIS BID</u>	<u>CONVERSION BID</u>	<u>CHASSIS CONV. BID</u>	<u>DELIVERY</u>
Gibbs Motor Co. Lufkin, Texas	1971 GMC	\$3,708.00			60 Days
Gordon K. Allen Co. Dallas, Texas	1971 Chev.		\$2,986.00	\$6,600.00	10 Days
Summers Funeral Car Co. Duncanville, Texas	GM Suburban	Carryall	\$2,584.95	\$6,250.00	21 Days
Tom Benson Chev. Co. San Antonio, Tex.	1971 Chev.		\$4,144.42	\$10,087.26	
National Custom Coaches, Inc. Knightstown, Ind.	1971 Chev.		\$4,616.00	\$10,541.80	

City Manager Westerholm recommended that bid be awarded to Gibbs Motor Co. for 1971 GMC Chassis for \$3,708.00 and that Summer Funeral Car. Co., Duncanville, Texas, be awarded the bid for conversion in the amount of \$2,584.95, making a total of \$6,292.95 which was \$42.95 higher than Summers Funeral Car Co.'s bid for chassis and conversion of \$6,250.00. City Manager Westerholm stated his reason for recommending awarding the chassis bid to Gibbs Motor Co. was for service available locally. Comm. W. O. Ricks, Jr., made motion that City Manager Westerholm's recommendation be followed. Motion seconded by Comm. Kenneth R. Crain and a unanimous affirmative vote was recorded.

5. Zone Change Application - Oscar Allen

City Attorney Flourney read caption of ordinance for first reading changing zone from R-2 District to LB District on four (4) adjoining tracts of land in Herty area, located on the North side of State Highway 103 and about four (4) miles from downtown Lufkin. City Secretary Durham stated application for zone change had been considered by City Planning and Zoning Commission in open hearing in regular meeting held at 5:00 P. M., on November 12, 1970. It was their recommendation that City Commission approve zone change. There were no persons present to object to the change and Comm. W. O. Ricks, Jr., made motion that ordinance be passed on first reading, covering this zone change. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

6. Zone Change Application - V. G. Koch

City Attorney Flourney read caption of ordinance for first reading covering zone change from R-2 District to LB District and CB District covering four (4) parcels of land on the South side of State Highway 103 at Loop 287. City Secretary Durham stated this application was also considered by the City Planning and Zoning Commission in open hearing in regular meeting held at 5:00 P. M., November 12, 1970, and it was their recommendation that City Commission approve the zone change. There were no persons present to object to the change and Comm. Kenneth R. Crain made motion that ordinance be passed on first reading. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous affirmative vote was recorded.

7. Proposed Juvenile Probation Project

City Manager Westerholm called attention to a proposal for the City and County to participate jointly in 40% of the cost of a Juvenile Probation Officer and stated the Criminal Justice Council of the State of Texas would fund 60% of the cost. City Manager Westerholm introduced Messrs. David J. Waxman of the Deep East Texas Development Council and Charles Armstrong of Texas State Juvenile Office who were present. Mr. Waxman went into considerable detail explaining the mechanics covering operations for a Juvenile Officer and costs involved. There was considerable discussion among the City Commission members who were generally in agreement that a Juvenile Officer would be beneficial but did not desire to make a commitment on the City's part for underwriting the expense for such operations until a meeting could be had between the City Commission and Angelina County Commissioners' Court on the matter. Mayor Garrison stated that this item would be held in abeyance until after January 1 and after a joint meeting had been held between the City Commission and the Angelina County Commissioners' Court.

8. Delete Purchase of Certain Capital Equipment in Street Department and Apply Funds to Resurfacing of Streets

City Manager Westerholm recommended that the following equipment not be purchased this year as called for in the Budget:

Motor Grader	20,000.00	September
Backhoe	18,000.00	September
Front End Loader	18,000.00	April
Truck with Bed	8,000.00	May

City Manager Westerholm also recommended that the above funds be used in resurfacing the following heavily traveled streets instead:

Abney - from Raguet to First Street
Keltys - from Abney to Wilson
McMullen (Scott) - from Old Mill Road to Kurth Drive
Raguet - from Ellis to Angelina
Lotus Lane - from Hill Street to old City Limit Line
Possibly Others

City Manager Westerholm stated his recommendation was due to the fact that Moore Bros. could do the paving cheaper than the City could do it. Comm. W. O. Ricks, Jr., made motion that City Manager Westerholm's recommendation be followed in the above instance. Comm. J. T. Hopson seconded the motion. Before vote was taken, Comm. E. C. Wareing stated he could go along with all the Streets with the exception of Lotus Lane

since the City does not have a R.O.W. easement for paving. City Manager stated was now in the process of circulating Quit-Claim R.O.W. deed to property owners for their signature covering 30 feet on either side of established center line which should protect the City on this street paving. However, paving of this street would be held up pending receipt of this deed. The following vote on the above motion and second was unanimous in the affirmative.

9. Invoices - Moore Bros. Const. Co.

City Manager Westerholm requested authority to pay Estimate #2, Moore Bros. Const. Co. covering resurfacing of streets per contract with City in the amount of \$25,462.08 and extra surfacing work on Reen Street in the amount of \$2,051.95. Comm. Roy L. Leamon, M.D., made motion that authority be granted to pay the above invoices. Motion seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

10. Duncan Parking Meters

City Manager Westerholm requested authority to purchase 65 used Duncan parking meters at \$40.00 each which were badly needed. Comm. Kenneth R. Crain made motion that City Manager Westerholm be granted authority to purchase these parking meters. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

11. Purchase of International Dozer from D & H Construction Co.

City Manager Westerholm requested authority to purchase from D & H Const. Co., Lufkin, Texas, one T-500 Dozer for \$5,000.00 and stated that City had been using this piece of equipment since July and same was in very good condition. After some discussion, Comm. W. O. Ricks, Jr., made motion that authority be granted for the purchase of this T-500 Dozer. Comm. Kenneth R. Crain seconded the motion and a unanimous affirmative vote was recorded.

12. Garbage Revenues

City Manager Westerholm stated that some time ago authority was granted of designating garbage collection revenues as Utility Fund revenues in order to meet obligations in paying for new Sewer Bonds recently voted. City Manager Westerholm stated this change in accounting procedures was not now necessary and requested this authority be rescinded. Comm. W. O. Ricks, Jr., made motion to this effect. Motion was seconded by Comm. Kenneth R. Crain and a unanimous affirmative vote was recorded.

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

City Manager Westerholm stated had received two invoices from Henningson, Durham & Richardson, Inc., covering November charges in the amount of \$485.76 and \$6,451.68, and requested authority to pay these invoices when funds were available. Comm. Roy L. Leamon, M.D., made motion that these invoices be authorized for payment when funds were available. Motion seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

14. Proposed Human Relations Council

Comm. Roy L. Leamon, M.D., stated that approximately six weeks ago Rev. Sidney Spain, along with members of the Angelina County Ministerial Alliance appeared before the City Commission to request consideration by the City Commission of establishing a Human Relations Council. He further stated that information had come to him that the City Commission was not going to do anything about this request other than to let it die. He stated while in Houston recently, he had attended a meeting of such Council and had come to the conclusion that the City of Lufkin should not sponsor this proposed Human Relations Council and made motion that the Angelina County Ministerial Alliance be advised that the City Commission thought it best not to ordain or sponsor the proposed Human Relations Council, and made motion to this effect. Motion was seconded by Comm. Kenneth R. Crain.

Before vote was taken, discussion brought out that the entire City Commission was in favor of such an organization being formed and sponsored through other groups and each one stated would personally do anything to make such an organization work. Vote on the above motion and second was unanimous in the affirmative.

15. Request of Angelina College for Control of Street (Old U. S. Highway 59) Through Campus Area

Comm. Roy L. Leamon, M.D., inquired as to the status of the above request by Angelina College. City Secretary Durham stated the City Planning and Zoning Commission would formulate plans in their next regular meeting on December 10, 1970, to conduct a public hearing on this request and that Dr. Jack Hudgens was scheduled to be in attendance at this meeting.

16. Proposed Plumbing Code

Discussion was had on proposed Plumbing Code and setting a date for work session thereon. Comm. E. C. Wareing stated would like personally to spend some time next week with City Attorney Flournoy and work out some of the apparent discrepancies in the copy of the ordinance which was recently furnished members of the City Commission after which City Commission members could be furnished copy of ordinance as corrected for study before work session was scheduled. This was agreed to by members of the City Commission. Comm. Roy L. Leamon, M.D., stated he was ready to take action on use of plastic pipe in the Plumbing Code. Mayor Garrison called attention to statement passed out to members of the City Commission signed by several local Master Plumbers and Journeymen Plumbers stating that they were in favor of using "a said grade of P V C plastic sewer line and water line service from the house drain to the City sewer inside the City Limits of Lufkin, Texas." No action was taken on the use of plastic pipe at this meeting.

17. Leash Law Covering Stray Dogs

Comm. Roy L. Leamon, M.D., called attention to the large number of stray dogs running loose in the City which were dangerous to children as well as pets and thought the City Commission should consider passing a leash ordinance covering such dogs. Comm. B. E. Atkinson, Jr., M.D., agreed and called attention where children were mangled by packs of dogs in other Cities. Comm. Kenneth R. Crain stated that the City of Richardson, Texas, had a good leash law and he knew of instances where it had been enforced with good results. No action was taken on this item but City Attorney Flournoy was instructed to develop information on a leash ordinance that might be applicable to the City of Lufkin.

18. Junk Vehicle Ordinance

Comm. Roy L. Leamon, M.D., inquired as to results being obtained by the enforcement of ordinance regulating abandoned, wrecked and junk vehicles. City Attorney Flournoy stated that the ordinance was being enforced with satisfactory results. Mayor Garrison called attention to an old car at Frank and Douglas and City Manager Westerholm will have this checked into.

19. Financial Information from Lufkin Telephone Exchange

Comm. B. E. Atkinson, Jr., M.D., stated that reports he had received from the Lufkin Telephone Exchange on their finances was not satisfactory in as much as did not reflect a representative profit and loss statement. City Manager Westerholm will check into this item to see if all information was being received as requested by City.

20. Bad Odors Eminating from Cedar Creek

Comm. E. C. Wareing called attention to several complaints he had received recently on "smelly" condition of Cedar Creek probably due to water from faulty septic tanks, etc., going into this creek. Comm. E. C. Wareing stated there was less water flow in the creek now due to lack of rain and thought this matter should be checked out either by the City or the City-County Health Unit. City Manager Westerholm

will have this matter checked out by City forces as to flow from septic tanks, etc., in the City into Cedar Creek.

21. Vumore Operations

Comm. Kenneth R. Crain stated he was not satisfied with the progress being made by Vumore Co. in switching over to their new system. He stated he had received numerous calls from people who stated the service was getting worse instead of better. Discussion brought out that Vumore Co. had installed about one-third of their cable and the electrical equipment required to begin the switch-over was about in place. Comm. Kenneth R. Crain stated he was getting entirely fed up with the service of Vumore and wanted some action. City Manager Westerholm was instructed to check with Vumore Co. and get an up-to-date progress report for next meeting.

22. Proposed Sewer Plant Site

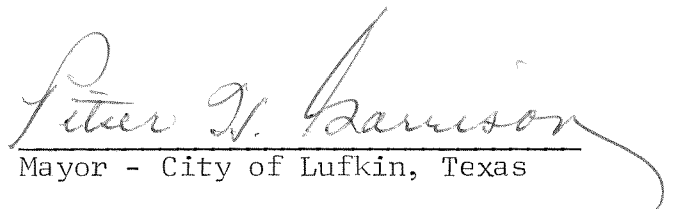
Comm. Kenneth R. Crain requested status on acquisition of proposed new Sewer Plant site. City Attorney Flournoy stated that the owners of the property which the City desired to purchase had filed an appeal from the ruling of the Texas Water Quality Board granting our discharge permit, in the Travis County District Court. Hopefully, it will be tried before February 1, 1971. Mayor Garrison stated he thought the City should institute condemnation proceedings on this property immediately. Comm. W. O. Ricks, Jr., made motion that City Attorney Flournoy be authorized to proceed with legal work in connection with filing condemnation proceedings immediately. Comm. E. C. Wareing seconded the motion and a unanimous affirmative vote was recorded.

23. Downtown Area Improvements

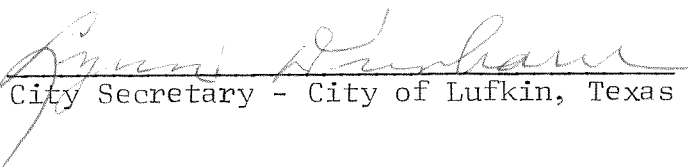
Mayor Garrison presented a new plat of proposed improvements in the downtown area showing location of new Library at its present site instead of just North of this site. Discussion was had concerning the purchase of certain property owned by Mr. James T. Mott, Jr., Mrs. C. A. Pate and C. A. Pate, Jr., Mr. R. B. Thompson and Arthur Temple, Jr., for purpose of providing additional off-street parking. A special meeting was called to discuss this further at 7:00 P. M., December 15, 1970.

24. Adjournment

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


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas