

MINUTES OF REGULAR MEETING OF CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON 18th DAY OF FEBRUARY, 1964, 7:30 P.M.

On the 18th day of February, 1964, 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:

Jim Waters	Mayor
Jack W. Tucker	Commissioner, Ward No. 1
Beamon S. Cook	Commissioner, Ward No. 2
S. Harry Kerr	Commissioner, Ward No. 3
Granville Wright	City Manager
Lynn Durham	City Secretary
William D. Perkins	City Attorney

being present, and

A. G. Welch	Commissioner, Ward No. 4
-------------	--------------------------

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

1. Meeting opened with prayer by Rev. Jim Thompson, Educational Director of First Methodist Church, Lufkin. Mayor Waters thanked Rev. Thompson for his participation and invited him to remain for entire meeting or to feel free to leave when he so desired.
2. Minutes of previous meetings were read and approved after two typographical corrections.
3. Mayor welcomed a large number of visitors who were present as observers or in connection with items on the agenda.
4. Mayor opened following bids, which were read by City Manager, on billing and posting machines for Water Office:

National Cash Register Company, Beaumont, Texas

2 - NCR Class 42 Utility Billing Machines	
@ \$4,125.00	\$ 8,250.00
Less discount	<u>635.06</u>
	\$ 7,614.94
Less Trade-In (old machines)	<u>150.00</u>
Net to City	\$ 7,464.94
3 - NCR Class 42 Utility Billing Machines	
@ \$4,125.00	\$12,375.00
Less discount	<u>952.59</u>
	\$11,422.41
Less Trade-In (old machines)	<u>150.00</u>
Net to City	\$11,272.41

National Cash Register gives a one year warranty (parts and labor) and, thereafter, will place the machines on service contract for \$109.00 per year. This Company also maintains a service office in Lufkin.

Burroughs Corporation, Beaumont, Texas

2 - F530I Dual Printers @ \$6,205.00 each, less discount \$495.20 - \$5,709.80	\$11,419.60
Less Trade-In (old machines)	<u>300.00</u>
	\$11,119.60
Less deduction for automatic rejection of incorrect balances	<u>184.00</u>
Net to City	\$10,935.60
3 - F530I Dual Printers @ \$5,709.80	\$17,129.40
Less Trade-In (old machines)	<u>300.00</u>
	\$16,829.40
Less deduction for automatic rejection of incorrect balances	<u>276.00</u>
Net to City	\$16,553.40

Burroughs Corporation gives a one year warranty on these machines and a maintenance service agreement (subject to change) thereafter at \$256.00 per year.

City Manager stated that both of the above machines had been exhibited and tried out in our Water Office and both are very good machines and will meet the City's billing and posting requirements, and that two machines is all that would be required even though we have bids on three machines also. City Manager stated that it was his recommendation, after discussing with all concerned in Accounting and Water Billing Offices, that the City of Lufkin purchase two National Cash Register machines at net cost of \$7,464.94, which is \$3,470.66 less than the cost of two Burroughs Corporation machines.

Commissioner S. Harry Kerr made motion that City Manager's recommendation of purchasing the National Cash Register Company machines be followed. Commissioner Beamon S. Cook seconded the motion. However, before vote was taken, Mr. Robert L. Kindred, representing the Burroughs Corporation, who was present, asked to be heard. He was granted the privilege and gave points on what he thought were superior qualities of his machines. He also requested that he be allowed to bring his machine back for further demonstrations and placed along side of the National Cash Register Company machine which would bear out his contention of his machine being superior. City Manager did not feel this was necessary since each machine was fully demonstrated.

Mayor Waters called for vote on motion previously made and seconded to purchase the two National Cash Register Company machines and a unanimous affirmative vote was recorded.

5. Mr. Jack Hicks, local Attorney, along with Messrs. Bill Young and W. R. Reed of G & G Construction Company appeared before the City Commission regarding Building Inspector's refusal to issue a building permit for construction of a Nursing Home (Holiday Lodge) on North Timberland Drive.

Mr. Hicks stated that building permit had not been issued due to City of Lufkin Penal Ordinance No. 196 stipulating that such installation could not be located within 200' of property used for a public or parochial school or public playground and that this proposed installation was closer than 200' to Winston Park.

However, he requested City Commission to issue a variance or exception and authorize Building Inspector to issue the building permit, inasmuch as the G & G Construction Company was a reputable organization and had paid for the permit.

Mr. W. R. Reed stated his Company will expend approximately \$250,000.00 on this installation and had already spent considerable money on the project.

City Attorney stated that no such thing as a "variance" existed in a situation such as this and went into detail explaining legal aspects of the matter and stated that before a building permit could be issued that Ordinance pertaining to Rest Homes would have to be amended covering that portion relating to public or parochial schools and playgrounds and that City had no other alternative.

Commissioner Jack W. Tucker stated that he desired to know the thinking of the State Health Department in Austin in this matter and City Manager will have letter written to State Health Department to request their opinion.

City Attorney was instructed to bring an amendment to the Rest Home Ordinance for consideration at next meeting. In the meantime, City Commission instructed City Manager to have Building Inspector to stop further work on the Rest Home by G & G Construction Company and to return their money paid to City for building permit; and that Building Inspector should be commended for his efforts in trying to enforce our building code and ordinances and that City Commission was backing him to the fullest.

6. City Attorney read Ordinance changing zone from R-3 District to LB District on property located on south side of Kurth Drive and running approximately 200' east of Sayers Street, as requested by Mrs. Dana B. Brookshire.

City Secretary stated this application had been through the regular prescribed channels by being heard by City Planning and Zoning Commission in regular meeting of January 23, 1964. He stated that all property owners within 200' of property had signed waiver voicing no objection to change with exception of one who was sent notice of hearing by City Planning and Zoning Commission but did not appear to protest the change.

City Planning & Zoning Commission unanimously recommended that City Commission approve the change as requested.

David Evans, Attorney, appeared before the City Commission to answer any questions regarding the property and pointed out location of same on map and stated that a gasoline filling station would be constructed on the property if zone change was allowed.

Commissioner Jack W. Tucker made motion that Ordinance covering this zone change be passed on first reading. Commissioner Beamon S. Cook seconded the motion and a unanimous affirmative vote was recorded.

7. City Attorney read Ordinance to be considered for passage on second reading covering zone change from R-2 District to A District on Lots 6, 7, 8 and 9 of L. Mantooth Addition by Mrs. Ida Perry Hall and Dr. Basil E. Atkinson, Jr. Mayor inquired if anyone present had any remarks to make before action and there was no response.

Commissioner Beamon S. Cook made motion that ordinance be passed on second and final reading. Commissioner Jack W. Tucker seconded the motion and a unanimous affirmative vote was recorded.

8. City Attorney read ordinance to be considered for passage on second and final reading covering zone change from R-1 District to LM District on property formerly known as Purvis Land, presently owned by Cedar Creek Corporation, which extends from the west boundary of the Gulf Pipe Line easement to the boundary of the Cedar Creek property line on the west and from Ellis Ave. (Highway 94) on the north to Pershing Street (Old Union Road) on the south, being approximately 70 acres, by Angelina County Chamber of Commerce.

Herman Brown, Manager of Angelina County Chamber of Commerce was present and requested passage of Ordinance on second reading, citing the efforts made by his organization to plan for the future industrial development of Lufkin and dividends that would be derived by allowing this change.

Mr. Brown further stated that an agreement had been worked out with Mr. R. L. Stanaland one of the property owners within 200' objecting to the change, by placing a buffer zone of 200' around his property and that Mr. Standland had written letter to the City Commission waiving any further objection.

Several property owners were present, including Messrs. Don A. Keuhl, Lee Harwell, Lee Ellis and Luke Powers. Mr. Powers stated he was for any progressive movement for City of Lufkin and was not particularly against changing zone on this property but did not know what effect such change would have on property on east side. Stated he would be definitely against changing zone on this particular property at any time in the future.

The other property owners present vigorously protested the change, advising that values would go down on their homes and they would be bothered with noise and dust from industrial plants that may be constructed in the area.

After considerable discussion, Commissioner Beamon S. Cook made motion that Ordinance changing zone as requested be passed on second and final reading. Commissioner S. Harry Kerr seconded the motion and a unanimous affirmative vote was recorded.

9. Commissioner S. Harry Kerr made motion that Ordinance be passed on second and final reading amending Civil Service Classification Ordinance for Police Department. Commissioner Beamon S. Cook seconded the motion and a unanimous affirmative vote was recorded.
10. Earl Handley appeared before the City Commission to hear findings of City Attorney on study of Franchise agreement the Vumore Company has with City of Lufkin on transmitting TV programs in City.

City Manager read letter from City Attorney commenting on provisions of the Franchise Agreement and recommended that the operations of the Vumore Company be gone over with its management. After this is done, a decision could then be made by City Commission as to policy to follow on improving service.

Mr. Handley reiterated his previous statements that service was not in accordance with what he thought would be rendered the people of Lufkin when franchise was granted.

City Commission instructed City Manager and City Attorney to meet with management of the Vumore Company and ascertain exact facts on their operations.

11. City Manager requested authority to advertise for bids on radio equipment for Fire and Police Departments, also for two automobiles for Police Department, with and without trade-in of two units now in use.

Commissioner S. Harry Kerr made motion that City Manager be authorized to advertise for these bids as requested. Commissioner Beamon S. Cook seconded the motion and an affirmative unanimous vote was recorded.

12. City Manager stated that City Planning and Zoning Commission considered the request of Troy Jeffery and J. E. Rogers, sole owners of property abutting on Taylor Street, to close northern portion of Taylor Street, north of Elm Street, as requested by City Commission, and unanimously recommended that City Commission not grant the request.

Commissioner S. Harry Kerr made motion that recommendation of City Planning and Zoning Commission be followed and that request not be granted. Commissioner Beamon S. Cook seconded the motion and a unanimous affirmative vote was recorded.

13. City Manager stated it had been developed that all but two property owners on Brookshire Street had signed petition to change name of Brookshire Street to Hylane Street, as presented at previous meeting. The petition had seven joint signatures and three single signatures.

Commissioner S. Harry Kerr made motion that name of Brookshire Street be changed to Hylane Street as requested by petitioners. Commissioner Beamon S. Cook seconded the motion and a unanimous affirmative vote was recorded.

14. City Manager stated that clause in deed from T. S. E. R. R. Company to City of Lufkin for street presently known as Industrial Boulevard stipulated that this street be named Temple Street; and had talked with Mr. Jackson of T. S. E. R. R. Company who conferred with Mr. Arthur Temple and Mr. Temple recommended that this street be named Weber Street due to conflict that might occur since there is a street at present in City named Tom Temple.

Discussion brought out fact that T. L. Smith Company, which is located on present Industrial Boulevard, had all their advertising, stationery, etc., showing Industrial Boulevard and changing name would be expensive.

Discussion brought out the fact there is another street not bearing a name in this industrial area which could be named Weber Street and leave name, Industrial Boulevard, as is. City Manager will again discuss with proper parties to see if this would be satisfactory.

15. City Manager presented Ordinance, caption of which was read by City Attorney, covering pawnshop operations, licensing, etc. No action was taken since City Commission desired to give some study before first reading.
16. City Manager stated that City Planning and Zoning Commission had completed their work and study on proposed new subdivision ordinance and had passed on to City Commission for study and passage. Each member of the City Commission was furnished with draft of the new Ordinance as prepared by City Planning and Zoning Commission for study.

A discussion was had as to date to be set for first reading of the ordinance. Commissioner Beamon S. Cook made motion that first meeting in May (May 5th) be set for the reading. Commissioner S. Harry Kerr seconded the motion and a unanimous affirmative vote was recorded.

17. The subject of adopting the Southern Building Code by ordinance in lieu of National Building Code, under which the City is presently operating, was discussed but no action taken until it is determined from the Fire Insurance Commissioner in Austin if changing would affect our fire insurance rate.

Building Inspector has stated to City Manager that the Southern Building Code, in his opinion, would fit our locality and conditions better than National Building Code. Until action is taken, Commissioner Beamon S. Cook made motion that Building Inspector be authorized to enforce the present National Building Code under which we are operating, as outlined in his recent letter on this subject. Commissioner S. Harry Kerr seconded the motion and a unanimous affirmative vote was recorded.

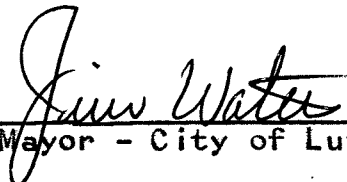
18. City Manager presented applications for employment as Electrical Inspector to assist Building Inspector in work from his office. After going over the information contained in these applications, City Manager was given authority to hire applicant he decided upon.
19. City Manager requested and received authority to sell one 1957 model Ford Sedan and one 1963 model Ford Sedan for the best price that can be secured inasmuch as these cars are deteriorating and will not be used in the future by City due to expense necessary to put in operating condition.
20. City Engineer gave estimate on cost of widening and paving of Pershing Avenue from Chambers Park to Loop No. 287. The paving was figured at 37' back to back with curb and gutter. Total estimated cost for this particular project was \$178,000.00. City Engineer estimated cost to property owners at approximately \$46,300.00.

City Manager stated that a project of this nature would require bond money and that City Engineer was making a list of other projects that should be correlated with comprehensive plan and all this data eventually presented and sold to public in order to get a bond issue voted to finance the expense.

21. Ward Burke, Attorney, appeared before the City Commission to advise that he was President of Security & Guaranty Abstract Company, a local concern who purchased the building next to City Hall and formerly occupied by Pearson Furniture Company. He stated that City might be interested in additional space and same would be made available on good terms if this was the case.

City Manager instructed to check into and determine if such additional space is needed and discuss with Mr. Burke and then report to City Commission.

22. Open items were gone over and discussed and status determined.
23. Commissioner S. Harry Kerr made motion that payment of invoices be authorized. Commissioner Beamon S. Cook seconded the motion and a unanimous affirmative vote was recorded.
24. There being no further business for consideration, meeting was adjourned at 11:45 P.M.


Mayor - City of Lufkin, Texas

ATTEST:


Lynn Durham - City Secretary