

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3RD DAY OF JULY, 1973, AT 7:30 P. M.

On the 3rd day of July, 1973, 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
R. A. Brookshire	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	City Secretary

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

1. Meeting opened with prayer by Rev. Bill Dunn, Chaplain of Lufkin State School, Lufkin, Texas.
2. Mayor Garrison welcomed a small group of visitors who were present in connection with items on the agenda or as observers.

3. Approval of Minutes

Comm. J. T. Hopson made motion that minutes from last regular meeting of June 19, 1973, be approved. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

4. Zone Change Application - Estate of Thomas J. DeLaune, W. L. DeFoyd and Jerald C. Lumpkin from LB District to C District

Zone change application by Estate of Thomas J. DeLaune, W. L. DeFoyd and Jerald C. Lumpkin from LB District to C District covering property located immediately East of and parallel to U. S. Highway 59 near Angelina Junior College was approved on first reading at last regular meeting. There were no persons present appearing in opposition to zone change request. Comm. W. O. Ricks, Jr., made motion that zone change application by Estate of Thomas J. DeLaune, W. L. DeFoyd and Jerald C. Lumpkin from LB District to C District be approved on second and final reading of ordinance as recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

5. R. H. Duncan - Thousand Oaks Addition - Request for Additional Lift Station - Briarwood and Idlewood Sub-Divisions - Disc

Mayor Garrison asked City Manager Westerholm to report on sewer services outside the City's extraterritorial limits as requested from last regular meeting. City Manager Westerholm reported to members of the Commission from a report made by Consulting Engineers in 1969 regarding the future sanitary sewer needs of the City of Lufkin for a 20 year period. City Manager Westerholm reported that present improvements under construction would follow recommendations made from 1969 to include new Comprehensive Master Plan recommendations. City Manager Westerholm also informed members of the Commission that recent request for sewer services in areas outside the City's extraterritorial jurisdiction had not been included in any of the plans and projections for the City through 1990. City Manager stated that additional sewage must pass through three lift stations before entering the City's treatment plant which would create additional expenses and additional requests for sewer services would have to be served through the City's sewer trunk line on the West side of the City presently being utilized 55% of its designed capacity. City Manager Westerholm concluded his report and informed members of the

Commission that the primary consideration for the City of Lufkin was for the area in which the City had jurisdiction and responsibility and the City should reserve its expansion capabilities for its anticipated growth and not obligate itself to areas outside planning and development jurisdiction.

Mayor Garrison expressed his concern that members of the City Commission must set a policy in regard to request for additional sewer services that would be beneficial to the entire City.

Lengthy discussion developed among members of the Commission regarding areas already being served outside the City's extraterritorial limits. Following discussion, Comm. W. O. Ricks, Jr., made motion that request for additional sewer services be restricted to individuals living within the Corporate City Limits except for previous commitments made by the City and individuals promised sewer services in areas already under construction. Motion was seconded by Comm. J. T. Hopson.

Mayor Garrison then called on Mr. Dick Gardemal who was present appearing in behalf of R. H. Duncan Construction Company's request for additional lift station. Mr. Gardemal expressed his understanding for the decision that must be made by members of the City Commission and expressed his appreciation for their time and consideration.

A unanimous affirmative vote was then made on previous motion by Comm. W. O. Ricks, Jr.

6. Parks & Recreation Dept. - Future Park - Sewer Treatment Plant

Comm. R. A. Brookshire requested members of the Commission table discussion of this item until Parks & Recreation Director, Max Griffin, could be present to answer questions regarding same. Members of the Commission were in unanimous agreement with this suggestion by Comm. R. A. Brookshire and discussion of item was deferred accordingly.

7. Amendment to Electrical Ordinance #239 - Discussion

Mayor Garrison informed members of the Commission that City Attorney Flournoy had made considerable amendments to the existing Electrical Ordinance #239 and members of the Commission may desire more review of these amendments prior to final approval. Members of the Commission were in agreement with ideas as explained by Mayor Garrison who then passed consideration of this topic on his own volition until next regular meeting.

8. Proposed Annexation & Permanent Zoning - Mrs. Jesse M. Starr

Mayor Garrison informed members of the Commission that open hearing had been held at last regular meeting at which no persons were present in objection to proposed annexation and permanent zoning of a 15.755 acre tract located West of Old Diboll Highway between Loop 287 and Gobbler Knob Road. There were no persons present appearing in opposition to proposed annexation and permanent zoning as advertised in Lufkin News, Sunday, June 8, 1973, and City Attorney Flournoy then read caption of ordinances for first reading annexing and permanently zoning a 15.755 acre tract to A and LB Districts. Comm. Joe E. Rich then made motion that ordinances be passed on first reading annexing and permanently zoning to A and LB Districts a 15.755 acre tract owned by Mrs. Jesse M. Starr as read by City Attorney Flournoy and recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

9. Zone Change Application - Estate of Jack Nerren from D District to LB District

Members of the City Commission were informed through information presented that zone change application by the Estate of Jack Nerren from D District to LB District covering property located

South of Paul Avenue between Third Street and Fourth Street and immediately North of Bremond Avenue on Lot Nos. 10, 11 and 12 of Block 31 in the Original Townsite of Lufkin, Texas, had been unanimously recommended for approval during regular meeting of the City Planning and Zoning Commission. There were no persons present appearing in objection to zone change application. Comm. W. O. Ricks, Jr., then made motion that zone change application by Estate of Jack Nerren from D District to LB District be approved on first reading as recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

10. Zone Change Application - Mrs. Tessie Crawford from R-3 District to A District & Special Use, Item 13

Mayor Garrison called on Mr. Bill Ricks who was present representing zone change application by Mrs. Tessie Crawford from R-3 District to A District & Special Use, Item 13, covering property located North of Abney Avenue between Sayers Street and Scarborough Street being Lots 5, 6 and 7 of Block No. 1 of the W. M. Scarborough Addition to the Town of Lufkin. Mr. Ricks explained the location of this property and distributed plans and specifications for construction of a nursing home at this location indicating construction of a parking lot on Lot #7. Mr. Ricks further stated that his client was prepared to comply with all other City regulations accordingly. Mayor Garrison asked Mr. Ricks if nursing homes must be approved by the State. Mr. Ricks indicated that he was not aware of any State Law approving nursing home applications. Mr. Ricks informed members of the Commission that Mr. Winfred H. Simmons of Lot 4, Block 1, 200 Scarborough Street, had objected to the construction of this nursing home during previous meeting of the City Planning and Zoning Commission, but the City Planning and Zoning Commission had unanimously recommended approval of application. Mayor Garrison then called on Mr. Winfred H. Simmons and Mrs. Edgar Bronson of Lot 10 on Scarborough Street and the following objections were presented:

- (a) Proposed parking lot was too close to private residences;
- (b) Construction of nursing home would increase traffic problems in residential area; and
- (c) Decrease in over-all property values.

Considerable discussion developed regarding the construction of this nursing home as requested by Mrs. Crawford and Comm. R. A. Brookshire desired to conduct an on-site review of the conditions before making final decision on request. Other members of the Commission were in agreement that further investigation should be made. Mayor Garrison then passed further consideration of this item on his own volition.

Mayor Garrison requested that visitors who were concerned with items being considered at next regular meeting to check with City officials regarding hour selected for meeting since members of the Commission were considering a change in the regular meeting time from 7:30 P. M. to 5:00 P. M.

11. Cablecom General, Inc.-Robert J. Lewis-Art Kempf-Report of Services

Mayor Garrison called on Mr. Robert J. Lewis, President of Cablecom General, Inc., who delivered an extensive report on services by Cablecom General, Inc., within the City. Mr. Lewis informed members of the Commission that considerable construction was currently being conducted South of Highway 69 and further located other areas of construction on a map including Trailwood Village area, with an anticipated construction completion date of two weeks, Highway 94 West area and North Avenue to be completed within 30 days. Mr. Lewis

further stated that other areas recently annexed would be planned and engineered for completion as soon as possible since Cablecom General was now prepared to keep up with its over-all growth program. Mr. Lewis explained the growth of the Cablecom industry and other information concerning the completion of three new micro-wave channels. Mr. Lewis explained that future delays in construction should be held to a minimum.

Members of the Commission had several questions for Mr. Lewis who explained circumstances involved in each situation. Comm. R. A. Brookshire offered constructive criticism of the Cablecom system to Mr. Lewis by requesting local services consider better personnel relations with customers. Comm. E. C. Wareing asked Mr. Lewis if a proposed completion date had been set for the improvements of the over-all cable system. Mr. Lewis stated that the anticipated completion date expected was August, 1973, with intermittent interruptions for installation of new equipment.

Mayor Garrison thanked Mr. Lewis for his complete report and reminded members of the City Commission's obligation to the citizens of Lufkin to provide an adequate cable system.

12. Texas Utility Advisory Council - Membership

City Manager Westerholm stated that he had received a letter from Mr. Jamie Clements of the Texas Municipal League requesting that the City of Lufkin join the Texas Utility Advisory Council for \$25 per year. City Manager Westerholm explained that the Texas Utility Advisory Council would be a self-help organization with four principal purposes. Following explanation of the Texas Utility Advisory Council purposes by City Manager Westerholm, Comm. Joe E. Rich made motion that the City of Lufkin become an active member in the Texas Utility Advisory Council with a cost of \$25 per year. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

13. Old City Hall - Consideration of Bids

City Manager Westerholm informed members of the City Commission that only one bid had been received for the purchase of the old City Hall building at bid opening held on Thursday, June 28, 1973, at 2:00 P. M. City Manager Westerholm stated that bid received was from Travis Carrington Real Estate Agency in the amount of \$6,000 and also stated that the old City Hall building had been previously appraised by William A. Lyon in the amount of \$49,500. Following a brief discussion, Comm. E. G. Pittman made motion that bid on old City Hall as received from Travis Carrington Real Estate Agency in the amount of \$6,000 be rejected in accordance with information presented by City Manager Westerholm. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

14. City Commission Meeting Hour Changed

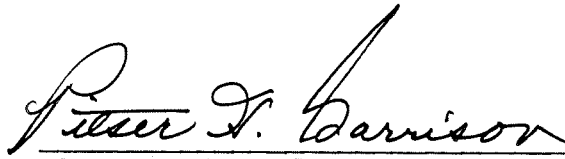
Mayor Garrison stated that members of the Commission had previously suggested that 5:00 P. M. be considered as a new meeting hour in place of the regular 7:30 P. M. hour. Members of the Commission unanimously agreed that next regular meeting of July 17, 1973, be held at 5:00 P. M. with future second meeting dates of the month being considered for 5:00 P. M. Comm. J. T. Hopson then made motion that next regular meeting of Commission, July 17, 1973, be held at 5:00 P. M. with future second meeting dates of the month being considered for same. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

15. Sub-Divisions - Amendment to Sub-Division Ordinance - Disc.

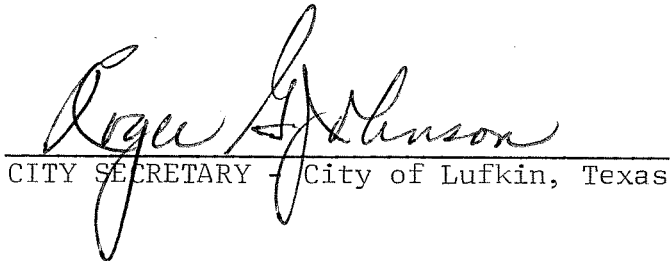
Comm. E. C. Wareing informed members of the City Commission that he had previously promised to summarize various sections of "Sub-Division Control in Texas Cities" for review. Comm. E. C. Wareing further stated, however, that summary of this book would be difficult since the book was a summary, but indicated members of the Commission seriously consider reading at least the first 50 pages of its contents since it was a very good book offering beneficial information. Mayor Garrison suggested that each member of the City Commission read at least two chapters of this book by next regular meeting to allow discussion of amendment to the Sub-Division Ordinance for the City.

16. Adjournment

There being no further business for consideration, meeting was adjourned at 9:00 P. M.


MAYOR - City of Lufkin, Texas

ATTEST:


CITY SECRETARY - City of Lufkin, Texas