

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 20TH DAY OF OCTOBER, 1970, AT 7:30 PM

On the 20th day of October, 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
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
Hayne Stokes	Acting City Secretary

being present, and

J. T. Hopson	Commissioner, Ward No. 2
Lynn Durham	City Secretary

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

1. Meeting opened with a prayer led by Rev. R. E. Cotton, Pastor of the First Nazarine Church, Lufkin, Texas.
2. Mayor Garrison welcomed guests.
3. Approval of Minutes

Comm. Kenneth R. Crain moved to approve the minutes of the regular meeting of October 6, 1970, as prepared and presented to the Commission prior to the meeting. Comm. B. E. Atkinson, Jr., M.D., seconded the motion and a unanimous affirmative vote was recorded.

4. Zone Change - Calvary Baptist Church

City Attorney Robert L. Flournoy read caption only of an ordinance changing zone from R-3 District to R-3 District and Special Use, covering Lots 2, 3 and 4, Block 34, Denman Addition by Calvary Baptist Church. Comm. Edgar C. Wareing moved, Comm. Kenneth R. Crain seconded to pass the ordinance on second and final reading. A unanimous affirmative vote was recorded.

5. Annexation of Zoo Area

Mayor Garrison declared a public hearing open at 7:35 P. M., in connection with the annexation of an area from the City Limits on Lake St. to include areas shown on the map that had been prepared. There was no further discussion and Mayor Garrison declared the hearing closed at 7:37 P. M. City Attorney Flournoy read the entire ordinance annexing the areas described by the map (which is a part of these minutes). Comm. Wareing moved, Comm. Crain seconded to pass the ordinance on first reading and a unanimous affirmative vote was recorded.

6. Zoning Board of Adjustment and Appeals

Comm. Ricks moved, Comm. Leamon seconded to approve the appointment of the following persons to the Zoning Board of Adjustment and Appeals as appointed in Executive Session following the regular meeting of October 6, 1970, and sworn in by Mayor Garrison on October 17, 1970:

Carl Liese (Chairman)	1 Year
Mrs. Flora O'Quinn	2 Years
Ray Hemson	2 Years
Earl Hardley	2 Years
Rev. L. D. Bell	1 Year
Gene Nerren	Alternate
Alex Hall	Alternate

A unanimous affirmative vote was recorded.

7. Lufkin Telephone Exchange, Inc. - Application for Local Rate Adjustment

Mr. Ned Shands, Jr., spoke requesting a rate adjustment and introducing Mr. Marion Clay, Pete Mence, and Larry Ross. Mr. Ross spoke for some time explaining the charts presented by the telephone company. Mr. Ross asked Mr. Karl Lemke to explain current money interest rates. Mr. Lemke spoke for short time and presented some letters from lending firms. After a lengthy discussion with members of the City Commission, no action was taken on the request. (Request and letters made a part of these minutes).

8. Plumbing Ordinance

City Attorney Flournoy presented a new Plumbing Ordinance for the City. No action was taken on the new ordinance. Because of the emergency, Comm. Crain moved, Comm. Wareing seconded to prohibit the use of Bituminized Products for sewer pipe or drains, waste or vent lines, on first reading. A unanimous affirmative vote was recorded.

9a. A Moving of Next Regular Meeting Date

Mayor Garrison stated that the November 3, 1970, meeting was on Election Day. Comm. Atkinson moved, Comm. Crain seconded to move the meeting date to November 10, 1970. A unanimous affirmative vote was recorded.

9b. Award Bids on Paving

Bids were presented to the City Commission on 3.52 miles of resurfacing to be done in various parts of the City. Comm. Crain moved, Comm. Atkinson seconded to award the contract to the low bidder, Moore Bros. Const. Co. for \$28,005.75 and authorize the City Manager and City Attorney to prepare the necessary contracts. A unanimous affirmative vote was recorded.

10. Naming Streets in Newly Annexed Areas

City Manager Westerholm requested naming several streets in newly annexed areas. Comm. Ricks moved, Comm. Leamon seconded to name the streets as recommended by the City Manager and a unanimous affirmative vote was recorded. As requested, was naming Duke St. from North Raguet to Hill St. Comm. Wareing moved, Comm. Leamon seconded the motion granting the request. A unanimous affirmative vote was recorded.

11. City Attorney's Remarks

City Attorney Flournoy read an agreement between the City and the Kiwanis Club covering the Girl Scout House. It was suggested by Mayor Garrison that City Attorney Flournoy prepare a clause to cancel for a just cause after 5 years and a one (1) year notice to cancel the agreement. Comm. Wareing moved, Comm. Crain seconded to enter into the agreement with the suggested clause added. A unanimous affirmative vote was recorded.

12. Remarks by the City Manager

City Manager Westerholm stated that he would like to recommend amending our Texas Municipal Retirement Ordinance to include the office of Fire Marshal. The Fire Marshal office by ordinance is independent of the Fire Department. Roscoe Gibson, our present Fire Marshal, will be removed from Civil Service coverage. At the present time, Roscoe Gibson is under no retirement system nor under Social Security. Comm. Crain moved, Comm. Ricks seconded to pass an ordinance amending the TML Ordinance to include the office of Fire Marshal on first reading. A unanimous affirmative vote was recorded.

City Manager Westerholm recommended that the City enter into a contract with the Municipal Code Corporation of Tallahassee, Florida for the Codification of the City's ordinances. The contract would be paid for over a 2 year period. Comm. Crain moved, Comm. Atkinson seconded to accept the City Manager's recommendation.

City Attorney Flourney stated the Poultry Industries stated through their Attorney, Mr. Bill Perkins, that they were to pay the new rate if the City would not charge them the rates under the first (new ordinance) and let them pay under the last new ordinance. City Attorney Flourney recommended that the City accept their offer. Comm. Atkinson moved, Comm. Wareing seconded to take no action until a letter is received from them stating their proposal. A unanimous affirmative vote was recorded.

13. Commissioners' Remarks

Comm. Atkinson asked that Mr. Smith get a copy of the proposed Milk Ordinance.

Comm. Atkinson moved, Comm. Crain seconded that the Commission get copies of material to be acted on at least 2 days prior to the Commission meeting, except in an emergency. A unanimous affirmative vote was recorded.

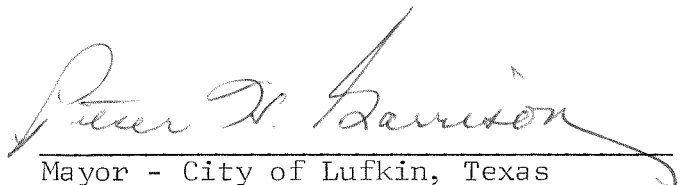
Comm. Crain stated that all depts. of the City were doing their jobs well. The Street Department was doing fine.

Mayor Garrison introduced Bill Johnson, Street Superintendent.

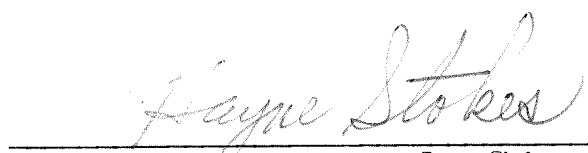
Comm. Leamon requested Rev. Spain back at next meeting to discuss the Human Relation Board.

14. Adjournment

Comm. Ricks moved, Comm. Crain seconded to adjourn. A unanimous affirmative vote was recorded. Meeting adjourned at 10:22 P. M.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas (Acting)