

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 2ND DAY OF FEBRUARY, 1971, AT 7:30 PM

On the 2nd day of February, 1971, 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. Bill Hines, Pastor of Parkview Baptist Church, Lufkin, Texas, who was thanked by Mayor Garrison for his participation and was invited to remain for the entire meeting or to leave as he so desired.
2. Mayor Garrison welcomed approximately 15 citizens who were present in connection with items on the agenda or as observers, and expressed appreciation for their interest in the affairs of the City.

3. Approval of Minutes

Comm. Kenneth R. Crain made motion that minutes of meetings of January 5 and January 19, 1971, be approved as written. Comm. B. E. Atkinson, Jr., M.D., seconded the motion and a unanimous affirmative vote was recorded.

4. Plumbing Code

City Attorney Flournoy read caption of ordinance on proposed new Plumbing Code for first reading and advised that changes that had been requested by City Commission members had been made in the copy of proposed Code. Some discussion developed and it was the opinion of the City Commission members that same could be passed on first reading, which would give time for additional study before second and final reading of ordinance at next meeting. Comm. B. E. Atkinson, Jr., M.D., made motion that ordinance be passed on first reading. Comm. Kenneth R. Crain seconded the motion and a unanimous affirmative vote was recorded.

5. Zoo Ordinance

City Attorney Flournoy read ordinance covering rules and regulations for Ellen Trout Zoo and stated that Section I had been rewritten in accordance with instructions from the City Commission. Comm. Kenneth R. Crain made motion that ordinance be passed on first reading. Motion seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

6. Purchase of Automotive Equipment - 6 Pick-Up Trucks & 1 4-Door Sedan

Discussion was had on the bids received for six pick-up trucks for different departments and one four-door Sedan for City Manager and Comm. B. E. Atkinson, Jr., M.D., made motion that bid be awarded to Angelina Chevrolet-Cadillac Co. for six 8-cylinder pick-up trucks at \$13,505.00 being the lowest bid and Angelina Chevrolet-Cadillac Co. for one four-door Impala Sedan at \$3,391.00. Comm. W. O. Ricks, Jr., seconded the motion and a unanimous affirmative vote was recorded.

7. City Election - April 6, 1971

City Attorney Flournoy read ordinance setting the date of April 6, 1971, (first Tuesday in April) for City Election covering the positions of Commissioner at Large, Place A and Commissioner Ward No. 2 for three-year terms, which designated Claud Cook as Judge and Falcor Perry as Assistant Judge and designating the First Baptist Church Annex at 202 Bremond as the location. Comm. E. C. Wareing made motion that ordinance be passed on first and final reading setting out the time election should open and close, 8:00 A.M. to 7:00 P.M. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous affirmative vote was recorded.

8. Lufkin Telephone Exchange - Request for Rate Increase

City Manager Westerholm presented detailed information that he and City Attorney had compiled regarding request of Lufkin Telephone Exchange for rate increase. He stated that in determining fair value they had referred to decision of Railroad Commission of Texas, et al Vs. Houston Natural Gas Corp. by Texas Supreme Court, 1956, which fixed a basis for determining fair value as a reasonable balance between original cost less depreciation and replacement costs new less adjustment for age and condition. City Manager furnished the following information:

"Fair Value of Exchange Property	4,000,000.00
Effective Exchange Net Operating Income	332,375.00
Percent Return	8.3"

City Manager Westerholm further stated that he and City Attorney Flournoy feel that the Lufkin Telephone Exchange is making a return of 8.3 percent on their investment. Mr. Larry Ross, along with several officials of the Lufkin Telephone Exchange were present and, Mr. Ross, acting as spokesman, presented figures using the City's method of calculation which showed a percentage return of 5.49 percent. There was a difference between the City's and the Telephone Company's method of figuring "fair value". Mr. Ross stated income for his company was dwindling and operating costs were spiraling. The City Commission members questioned Mr. Ross in great detail regarding depreciation factor and replacement costs, service, and how soon they would eliminate 8 and 9 parties to a line in certain areas. Also, as to whether stock-holders were doing anything to assist in new financing that the telephone exchange desires. Mr. Ross replied to each question and inquired if there was any indication that the City Commission was ready to make a decision on the rate request. Mayor Garrison polled the Commission and it was the unanimous opinion that the City Commission members were not ready to make a decision at this meeting but the item would be on the agenda for next meeting for a decision to be made one way or the other.

9. Renaming of Portions of Loop 287

City Manager Westerholm stated that Loop 287 from 103 West to 59 South had been previously named John Reddit Drive and the City Commission on December 3, 1968, passed resolution to rename Loop 287 from U. S. Highway 69 East to U. S. Highway 59 North, Medford Drive. After a considerable amount of discussion, Comm. Roy L. Leamon, M.D., made motion that Loop 287 from U. S. Highway 59 South to U. S. Highway 69 East be also named Medford Drive. Comm. W. O. Ricks, Jr., seconded the motion and a unanimous affirmative vote was recorded.

10. Downtown Trash Cans

City Manager Westerholm stated had received information that trash cans in the downtown area which have been on order for some time should be received by February 15.

11. Population Figure - City of Lufkin

City Manager Westerholm stated had written the Census Bureau in Washington, D. C., for population figure for the City of Lufkin, which should be forthcoming soon.

12. Addition to Angelina County Animal Shelter

City Manager Westerholm stated that cost information has been furnished to City Commission members on addition to the Humane Society Animal Shelter building which he estimated would be \$1,000.00 or more if done by the City. Comm. Kenneth R. Crain made motion that authority be granted for the City forces to do this work at a cost not to exceed \$2,000.00. Comm. J. T. Hopson seconded the motion and a unanimous affirmative vote was recorded.

13. Maas Street

Comm. E. C. Wareing made motion that present Medford Drive in Keltys area be renamed Maas Street. Comm. Kenneth R. Crain seconded the motion and a unanimous affirmative vote was recorded.

14. Electrical Code

Comm. B. E. Atkinson, Jr., M.D., made motion that no action be taken on first reading of ordinance on the revised electrical ordinance until next meeting in order that further study might be given to the matter. Comm. Kenneth R. Crain seconded the motion and a unanimous affirmative vote was recorded.

15. Leash Law

Comm. Roy L. Leamon, M.D., inquired if proposed leash law would cover animals other than dogs. No decision was given in this regard.

16. Annexation of Property

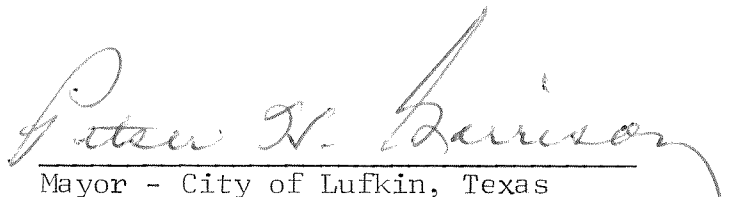
City Attorney Flournoy was instructed by the City Commission to prepare necessary ordinance, setting public hearing date, etc., on annexation of property from U. S. Highway 59 North to Kurth Drive, last portion of Loop 287, to include not more than 600 feet from the outside R.O.W. line.

17. Sub-Division of Land

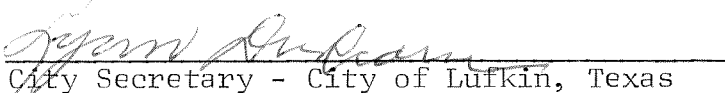
City Attorney was instructed to write letter to County Clerk on sub-division of small areas of land within City Limits and within the City's extraterritorial jurisdiction.

18. Adjournment

There being no further business for consideration, meeting was adjourned at 9:30 P. M.


Mayor - City of Lufkin, Texas

ATTEST:


City Secretary - City of Lufkin, Texas