

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 19TH DAY OF JUNE, 1973, AT 7:30 P. M.

On the 19th day of June, 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
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
Robert L. Flournoy	City Attorney
Roger G. Johnson	City Secretary

being present, and

J. T. Hopson	Commissioner, Ward No. 2
Harvey Westerholm	City Manager

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

1. Meeting opened with prayer by Rev. Al Thomas, Pastor of Mt. Calvary Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed visitors who were present in connection with items on the agenda or as observers.
3. Open Hearing - Proposed Annexation & Permanent Zoning - Mrs. Jesse M. Starr

Mayor Garrison called on Mrs. Jesse M. Starr to speak in behalf of her request to annex a 15.755 acre tract located West of Old Diboll Highway between Loop 287 and Gobbler Knob Road. Mrs. Starr briefly explained her intentions for use of this property in conjunction with zone change request which had been previously approved on first reading at last regular meeting. Mrs. Starr explained that she did not desire this 15.755 acre tract to be annexed unless previous submitted zone change was approved on second and final reading, to be considered at this meeting. There were no persons present appearing in opposition to the proposed annexation and permanent zoning as advertised in the Lufkin News on June 8, 1973.

Mayor Garrison declared hearing closed on proposed annexation and permanent zoning of property owned by Mrs. Jesse M. Starr. Mayor Garrison further stated that this particular item would be placed on the agenda for first reading at next regular City Commission meeting on July 3, 1973.

4. Approval of Minutes

Comm. Joe E. Rich made motion that minutes of regular meeting of June 5, 1973, be approved. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

5. Permanent Zoning - Brookhollow #7 Addition & Property Lying East of Brookhollow #7 Addition

Mayor Garrison stated that ordinance permanently zoning Brookhollow #7 Addition and property lying East of Brookhollow #7 Addition was considered at last regular meeting and passed on first reading, and was now due consideration on second reading. There were no persons present appearing in objection to this permanent zoning of Brookhollow #7 Addition and property lying East of Brookhollow #7 Addition. Comm. W. O. Ricks, Jr., made motion that permanent zoning of Brookhollow #7 Addition and property lying East of Brookhollow #7 Addition as previously discussed, be approved on second and final reading of ordinance. Comm. Joe E. Rich seconded the motion and a unanimous affirmative vote was recorded.

6. Speed Zones Established (Temporary) - Loop 287 & FM 325 - Amendment to Ordinance #193

Mayor Garrison stated that ordinance establishing temporary speed zones on Loop 287 and FM 325 was considered at last regular meeting and passed on first reading. Comm. W. O. Ricks, Jr., then made motion that ordinance establishing temporary speed zones on Loop 287 and FM 325 as previously discussed, be approved on second and final reading. Comm. Joe E. Rich seconded the motion and a unanimous affirmative vote was recorded.

7. Zone Change Application - Mrs. Jesse M. Starr from R-1 District to LB District & R-1 District & Special Use, Item 18

Mayor Garrison stated that zone change application by Mrs. Jesse M. Starr from R-1 District to LB District and R-1 District and Special Use, Item 18, covering property located West of Old Di-boll Highway and South of Loop 287 between existing City Limits and Gobbler Knob Road, was considered at last regular meeting and passed on first reading of ordinance. There were no persons present appearing in objection to this zone change application. Comm. W. O. Ricks, Jr., made motion that zone change application by Mrs. Jesse M. Starr from R-1 District to LB District and R-1 District & Special Use, Item 18, be passed on second reading. Comm. Joe E. Rich seconded the motion and a unanimous affirmative vote was recorded.

8. Zone Change Application - Ira S. Davis (Davis Insurance Agency) from D District to LB District

Mayor Garrison stated that zone change application by Ira S. Davis, Jr., (Davis Insurance Agency), from D District to LB District covering property located immediately South of Paul Avenue between Second Street and Third Street, including Lot Nos. 1, 2, 3 and 4 of Block 32, of the Original Townsite of Lufkin, Texas, was considered at last regular meeting and passed on first reading of Ordinance. There were no persons present appearing in objection to this zone change application. Comm. W. O. Ricks, Jr., made motion that zone change application by Ira S. Davis, Jr., (Davis Insurance Agency), from D District to LB District be passed on second and final reading. Comm. Joe E. Rich seconded the motion and a unanimous affirmative vote was recorded.

9. Mobile Home Park Ordinance #257 - Amendment to Ordinance

Mayor Garrison stated that ordinance amending Mobile Home Park Ordinance #257, providing for extruded curb, had been considered at last regular meeting and was passed on first reading. There were no persons present appearing in objection to this amendment of ordinance. Comm. W. O. Ricks, Jr., made motion that ordinance amending Mobile Home Park Ordinance #257 be passed on second and final reading. Comm. Joe E. Rich seconded the motion and a unanimous affirmative vote was recorded.

10. R. H. Duncan - Request for Additional Lift Station - Thousand Oaks Addition

Mayor Garrison stated that decision on request by R. H. Duncan for additional lift station in the Thousand Oaks Addition had been delayed a number of times by the City Commission due to the extreme importance of the request and the effects a decision to permit the request would have upon the citizens of Lufkin. Mayor Garrison further stated that the City Commission had recently received another request for additional sewer services in the Briarwood Village Subdivision and Idlewood Subdivision, which would include approximately 670 additional lots. Comm. W. O. Ricks, Jr., then made motion that decision on all additional sewer service requests for individuals living outside the City Limits be delayed until City had received all information regarding effects of additional extensions.

Mayor Garrison then called on Mr. Dick Gardemal representing R. H. Duncan Construction Company in the absence of R. H. Duncan. Mr. Gardemal explained to members of the Commission that request by Mr. R. H. Duncan for an additional lift station in the Thousand Oaks Addition was not intended to create an extra burden upon the existing sewer plant, but instead, desired members of the Commission consider this request as an addition for the new sewer plant currently being constructed which could accomodate request. Comm. Joe E. Rich explained that he had previously been of the opinion that this request was for the existing sewer plant and was pleased that Mr. Gardemal had clarified this request. Comm. E. G. Pittman asked Comm. W. O. Ricks, Jr., if he had a particular reason for requesting delay of decision on this request. Comm. W. O. Ricks, Jr., stated that the City of Lufkin had not received information from the Texas Water Quality Board as requested at last regular meeting. Comm. R. A. Brookshire expressed his concern that this request and new request by the Briarwood Village and Idlewood Subdivisions not be delayed since home owners would be paying outside service rates. Mayor Garrison stated that the City should consider all requests for additional outside services. Mayor Garrison stated that the Texas Water Quality Board had previously threatened the City for over-loading its existing sewer treatment plant and the City must consider a possible precedent setting situation. Mayor Garrison expressed his concern that the City should review more information regarding the effects of additional sewer extensions prior to final decision on requests as presented.

Comm. E. C. Wareing explained to Mr. Gardemal the fact that topographic maps of the Hudson area revealed the possibility that the Thousand Oaks Addition area could construct a gravity-flow system leading into the Hudson facility without construction of a lift station. Mr. Gardemal stated that he had met with County officials regarding septic tank construction which would increase the cost of housing construction, but had not researched the possibility of tapping into the Hudson sewer facilities. Comm. E. C. Wareing further suggested that Mr. Gardemal investigate this possibility since the City of Hudson may be interested in receiving new customers. Mayor Garrison re-emphasized to members of the City Commission the fact that the City Commission must consider, "what is in the best interest of the citizens of Lufkin". Comm. Joe E. Rich then seconded motion as previously made by Comm. W. O. Ricks, Jr., to delay decision and a unanimous affirmative vote was recorded.

Comm. E. C. Wareing asked Public Works Director, Hayne Stokes, to furnish a summary of the current sewer treatment plant facility's potential and other information that would be helpful in completing decision on request for additional sewer services.

11. City Depository Bank - Awarding of Bids

Mayor Garrison recused himself from participating in discussion and vote on this item and asked Mayor Pro Tem Wareing to conduct the awarding of bids for City Depository Bank. Mayor Pro Tem Wareing stated that the City of Lufkin had received two bids for the City Depository and copies of these bid proposals had been furnished each member of the City Commission for review and consideration. Mayor Pro Tem Wareing further stated that City Finance Director, Royal Dunlap, had also prepared a recommendation on the two bids as submitted.

Mayor Pro Tem Wareing then called on Mr. Cato Jones of the Texas National Bank and Mr. Robert Richardson of the Lufkin National Bank to speak in behalf of their bids as submitted respectively. Following a brief discussion, Comm. W. O. Ricks, Jr., made motion that recommendation given by Finance Director, Royal Dunlap, to approve bid as submitted by the Lufkin National Bank appointing Lufkin National Bank as the City Depository for City funds during the two-year period beginning July 1, 1973, be approved

and City Attorney Flournoy be directed to draw contract regarding same. Motion was seconded by Comm. E. G. Pittman and a unanimous (5) affirmative vote was recorded.

Mayor Garrison then resumed his position to conduct the remainder of the meeting.

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

Mayor Garrison informed members of the City Commission that 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 extending parallel to U. S. Highway 59 South near Angelina Junior College had been recommended for approval during last regular meeting of the City Planning and Zoning Commission. There were no persons present appearing in opposition to zone change request. City Attorney Flournoy read caption of ordinance for first reading changing zone from LB District to C District. Comm. R. A. Brookshire then 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 first reading of ordinance as read by City Attorney Flournoy and recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

13. Cablecom General, Inc. (Vumore) - Monthly Report

Mayor Garrison stated that copy of report from Cablecom General had been submitted for review by members of the City Commission and asked if members had comments regarding same. Comm. R. A. Brookshire expressed his disappointment in recent reception quality and performance of new equipment installed by Cablecom General. Comm. R. A. Brookshire further stated that bad rains seemed to be a poor excuse for bad reception. Comm. W. O. Ricks, Jr., also expressed his concern that more people should be served at a faster pace when wiring had already been installed in many areas. Mayor Garrison stated that a representative from Cablecom General was not present and further explanation should be made regarding recent reception problems, extension of new services, scheduling, and ambiguous excuses recently given for delays. Comm. E. G. Pittman expressed his concern that a representative should be present at next regular meeting since report was two weeks late and no one was present to represent same. Mayor Garrison expressed his concern that Mr. Robert J. Lewis, President of Cablecom General, Inc., Denver, Colorado, should be present at next regular meeting. Members of the Commission were in agreement with this suggestion and the Commission instructed City officials to send a telegram to include information as described above. Members of the Commission agreed that rate adjustments should be considered as a result of sub-standard performance by Cablecom General if current system was not improved.

14. City Civic Center - Report by Jerry E. Hill - Weiner, Hill, Morgan & O'Neal Architectural Firm

Mayor Garrison called on Mr. Jerry E. Hill, Architect for Weiner, Hill, Morgan & O'Neal, who distributed copies of a proposed construction program for the Lufkin Civic Center containing proposals for a 28,000 square foot area which included recommendations for various offices, parking facilities, interior design, storage rooms and other areas of construction. Mr. Hill asked members of the Commission for their comments regarding this recommendation and considerable review was made of schematic as prepared by the architectural firm. Mr. Hill informed members of the Commission that his architectural firm had been experiencing difficulties in locating a comparable priced Civic Center facility. Mr. Hill further stated that providing members of the Commission could schedule a work session to include any additional comments to proposal as presented, his firm could consider bids within approximately three months. Mr. Hill also informed members of the Commi-

ssion that he had been contacted by several demolition firms to bid on the destruction of the old Central School building. Members of the Commission agreed that Mr. Hill should make a final investigation of the old Central School building in order to report to the Commission if the building was prepared for destruction. Mayor Garrison informed Mr. Hill that members of the Commission would be prepared to give authority to Mr. Hill to accept bids on the destruction of the building after investigation. Further discussion of the Civic Center was tabled until members of the City Commission could set a date for a work session regarding same.

15. City Planning & Zoning Commission - Reappointment of Members for Three-Year Terms

Mayor Garrison stated that Samuel D. Griffin, John Waak and Richard Thompson would reach their terms of expiration on the City Planning and Zoning Commission effective June 30, 1973, and each individual had agreed to serve an additional three-year term subject to approval by City Commission. Following a brief discussion, Comm. R. A. Brookshire made motion that Samuel D. Griffin, John Waak and Richard Thompson be re-appointed for three-year terms to the City Planning and Zoning Commission accordingly. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

Mayor Garrison expressed his appreciation of the fine work being conducted by members of the City Planning and Zoning Commission and commended members for their efforts.

16. Don Deal - City of Hudson - Discussion

Mayor Garrison called attention to the fact that Mr. Don Deal, Mayor of Hudson, Texas, was present and further informed visitors and members of the City Commission that law suit between City of Lufkin and City of Hudson had been resolved. Mayor Garrison invited comments from Mr. Deal regarding recent settlement between City of Lufkin and City of Hudson and thanked Mr. Deal for his consideration in behalf of the City of Lufkin. Mr. Deal explained that he was pleased with results of settlement between City of Lufkin and City of Hudson which set certain limits of annexation for both Cities.

17. Parks Department - Resolutions - Matching Fund Application - Texas Parks & Wildlife Commission

City Attorney Flournoy explained to members of the City Commission that three separate resolutions should be approved designating a responsible official for the Federal Grant application, a Fiscal Officer to receive and disburse Federal Funds and a resolution dedicating the land in the project proposal for outdoor recreational purposes.

Comm. E. C. Wareing made motion that a resolution be approved perpetually designating seven parks described in application for Federal Grant as property to be used for outdoor recreation in accordance with the Master Plan. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

Comm. E. G. Pittman made motion that resolution be approved designating a Fiscal Officer to receive and disburse Federal Funds in connection with application for grant assistance for developing a community park. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

Comm. Joe E. Rich made motion that a resolution be approved designating a responsible officer in connection with the City of Lufkin's application for grant assistance in developing a community park. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

Mayor Garrison called on Max Griffin, Parks & Recreation Director, who explained that information concerning various improvements to existing City parks and the cost of these improvements had been furnished members of the Commission for review and consideration.

18. Parks Department - Neighborhood Parks - Discussion

Mayor Garrison again called on Max Griffin, Parks & Recreation Director, who informed members of the Commission that a proposed Parks Development Plan concerning neighborhood parks for the City of Lufkin Parks & Recreation Department had been prepared and distributed among members of the Commission for review and consideration. Comm. R. A. Brookshire inquired about a proposed park study for sewer treatment plant property. Comm. R. A. Brookshire reviewed previous comments concerning the use of this property when current sewer treatment facility was relocated. Parks & Recreation Director Griffin stated that he would have a proposed development plan for this particular area at next regular meeting. Comm. Joe E. Rich informed members of the Commission that he was personally impressed with comments within this report concerning surplus property. Comm. Joe E. Rich expressed his concern that members of the Commission become more aware of presently owned City property and review the future possibility of selling portions of City property in order to purchase other more strategically located property for neighborhood park utilization. Members of the Commission were informed by City officials that a City property map was available for review in the Engineering Department to assist in the location of this property.

19. Flood Insurance - Discussion

Mayor Garrison announced that the City of Lufkin had been approved for National Flood Insurance and individuals desiring to be insured who lived in low areas would now be able to receive insurance accordingly. Comm. E. C. Wareing stated that it was his understanding that this insurance would become available to the citizens of Lufkin effective June 20 at 12:01 A.M. Comm. E. C. Wareing further expressed his personal satisfaction in this announcement and stated that the City had made a long but rewarding effort.

20. Amendment to Electrical Ordinance #239 - Discussion

City Attorney Flournoy informed members of the Commission he should have information necessary for review at next regular meeting that would provide the necessary information for amendment to the existing Electrical Ordinance.

21. Election Ordinance - Amendment Discussed

Mayor Garrison stated that even though some confusion had existed in the amendment to the "Election Ordinance or Electrical Ordinance" due to a typographical error on the agenda, the City Commission should, as soon as possible, consider amendment to the Election Ordinance concerning polling places. Members of the Commission were in agreement with suggestion as presented by Mayor Garrison and City Attorney Flournoy was instructed to begin a study of the existing ordinance for an amendment proposal to the City Commission.

22. Water Collection Department - Billing Cycles

City Attorney Flournoy stated that the Water Collection Department had prepared a complete study of all three City billing cycles for review and consideration by members of the City Commission. City Attorney Flournoy further stated that this information had been prepared in connection with various requests by individuals for water and sewer services outside the City Limits.

23. Texas Highway Dept. - Resolution - National Highway Week

City Attorney Flournoy explained that the Texas Highway Department had requested the City Commission consider the passage of a resolution declaring September 23-29, 1973, as National Highway Week inviting the Texas Highway Commission and its Engineer to hold a special meeting in the Deep East Texas Region. Copies of a prepared resolution were distributed among members of the Commission for review. Following a brief discussion, Comm. E. C. Wareing made motion that resolution be approved in accordance with information as explained by City Attorney Flournoy declaring September 23-29, 1973, as National Highway Week. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

24. Deep East Texas Council of Governments Economic Development District - Board of Directors Appointed

City Attorney Flournoy stated that the City of Lufkin had received a letter from Mr. Billy D. Langford, Executive Director of the Deep East Texas Council of Governments, who had requested, effective July 1, the City of Lufkin select four elected officials from the City to serve on the Board of Directors. Mayor Garrison explained the past policy of the Commission regarding the appointment of these elected officials indicating the appointment of three senior members of the Commission and the Mayor. Mayor Garrison further explained that the three senior members of the Commission were Edgar C. Wareing, W. O. Ricks, Jr., and J. T. Hopson. Following a brief discussion, Comm. E. G. Pittman made motion that Mayor Garrison, Comm. E. C. Wareing, Comm. W. O. Ricks, Jr., and Comm. J. T. Hopson be appointed to the Board of Directors of the Deep East Texas Council of Governments Economic Development District in accordance with information presented. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

25. Lufkin Telephone Exchange - Franchise Renewal - Discussion

City Attorney Flournoy stated that the telephone franchise with the Lufkin Telephone Exchange would soon expire and a new franchise must be considered by the City Commission. Mayor Garrison suggested that a work session be held regarding this franchise renewal and also asked City Attorney Flournoy if the Lufkin Telephone Exchange had submitted a new proposal. City Attorney Flournoy informed members of the Commission that the Lufkin Telephone Exchange had made a new proposal which was currently being reviewed and compared with other franchises by City officials prior to submission to the City Commission for consideration. Members of the Commission were in agreement with the study being conducted by City officials and instructed City Attorney Flournoy to have other City telephone exchange franchises available for review at work session.

26. Water Collection Dept. - Installation of Garbage Bag Outlet in Drive-In Window - Discussion

Comm. E. C. Wareing inquired about the cost of installing a garbage bag outlet at the Water Collection Department drive-in window. Public Works Director, Hayne Stokes, reported that the installation of this garbage bag outlet had been completed shortly after inquiries had been made regarding same at a cost of approximately \$100. Comm. E. C. Wareing and other members of the Commission commended the Public Works Department for its efficiency.

27. Old City Hall - Advertisement for Bids

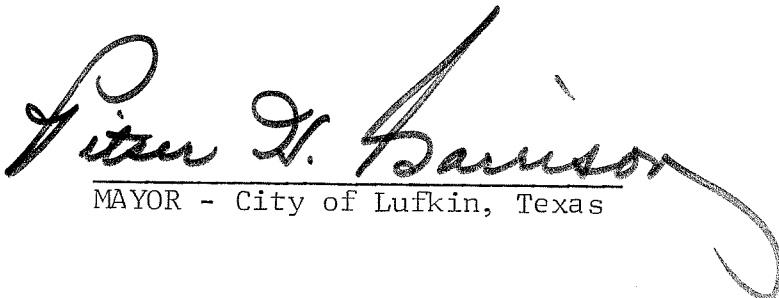
Comm. R. A. Brookshire inquired as to the status of bids on the old City Hall facility previously confirmed for sale by members of the City Commission. City officials informed Comm. R. A. Brookshire that advertisements for bids on the old City Hall had been made in the local paper and would be received on June 28, 1973.

28. Developers - Discussion

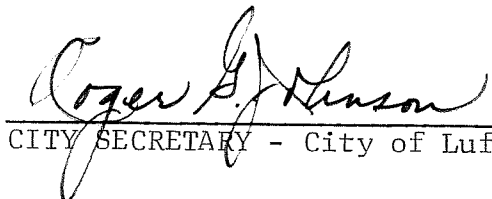
Comm. Joe E. Rich stated that he had been extremely concerned with the problems being experienced by developers since review of article which appeared in the Lufkin News on Sunday, May 27, 1973. Comm. Joe E. Rich further stated his concern that members of the City Commission offer invitations to all builders in the area in order that opinions may be exchanged between the builders and members of the City Commission. Comm. Joe E. Rich stated that he was of the opinion a meeting of this nature would assist the entire community in an effort to solve current problems which existed. Comm. W. O. Ricks, Jr., stated that he had recently received a copy of "Subdivision Control in Texas Cities" which would be helpful in this discussion. Comm. E. G. Pittman expressed his agreement with suggestion as presented by Comm. Joe E. Rich and asked that a date be set for this meeting with developers as soon as possible and members of the press and members of the City Planning and Zoning Commission be invited. Comm. R. A. Brookshire suggested that members of the Home Builders Association also be invited to attend this meeting. Mayor Garrison instructed City Secretary to contact the Home Builders Association. Comm. E. C. Wareing stated that he would review "Subdivision Control in Texas Cities" and summarize the more important sections of this booklet for consideration by members of the Commission. Mayor Garrison suggested that meeting date be set as soon as Comm. E. C. Wareing had made reviews available to members of the City Commission.

29. Adjournment

There being no further business for consideration, meeting was adjourned at 9:20 P. M.

  
MAYOR - City of Lufkin, Texas

ATTEST:

  
CITY SECRETARY - City of Lufkin, Texas