

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY
OF LUFKIN, TEXAS, HELD ON THE 4TH DAY OF AUGUST, 1970, AT
7:33 P. M.

On the 4th day of August, 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
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
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Hayne Stokes	Acting City Secretary

being present, and

Basil E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
Lynn Durham	City Secretary

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

1. Approval of Minutes of Previous Meeting

Commissioner Crain moved and Commissioner Hopson seconded to approve the minutes of the regular meeting held on the 21st day of July, 1970. A unanimous affirmative vote was recorded.

2. Annexation

A. Tract No. One

City Attorney Robert L. Flournoy read the caption only of an ordinance annexing Tract No. One lying North and North-west of S.H. #103, as described by field notes. Commissioner Ricks moved and Commissioner Crain seconded to pass the ordinance on first reading. A unanimous affirmative vote was recorded.

B. Tract No. Two

City Attorney Flournoy read the caption only of an ordinance annexing Tract No. Two lying South of S.H. #103 as described by field notes. Commissioner Ricks moved and Commissioner Crain seconded to pass the ordinance on first reading. A unanimous affirmative vote was recorded.

3. Zone Change Along State Highway #103

City Attorney Flournoy read the caption only of an ordinance changing Zone from R-2 District to L.B. District on two (2) one-acre tracts located East of Maxwell Street and fronting on State Highway #103 as described by field notes. The change was requested by E. W. Allen and approved by the Planning and Zoning Commission. Commissioner Crain moved and Commissioner Hopson seconded to pass the ordinance on second and final reading. A unanimous affirmative vote was recorded.

4. Zone Change Along Paul Avenue

City Attorney Flournoy read the caption only of an ordinance changing the zone from R-1 District to R-3 District on two (2) tracts of land (No's One and Two) being a portion of the Louis Holloway Survey and the H. H. Brookshire Survey, located on both sides of Paul Avenue and described by field notes.

The request was made by Earl and Ross Sims and approved by the Planning and Zoning Commission. Commissioner Crain moved and Commissioner Hopson seconded to pass the ordinance on second and final reading. A unanimous affirmative vote was recorded.

5. City Manager's Remarks

(a). City Manager Westerholm explained a letter of reply regarding the costs to employ a rate consultant to advise on United Gas Company's request for a rate adjustment. Mayor Garrison stated that he believed the Gas Company should have a rate adjustment, but that he did not agree with their rate design. Mayor Garrison furnished the Commission with a rate design that he had drawn up with information furnished by the Gas Company. The Mayor further stated that he believed that his design would be in the best interests of both the City and the Gas Company. After a lengthy discussion, Commissioner Ricks moved to grant the Gas Company a rate adjustment using the Mayor's recommendations. The motion died from the lack of a second. Mr. Hinds of the United Gas Company stated that he liked the Gas Company's rate design best and that it would be uniform with other cities that have already granted adjustments. He also said that if the Commission wished to grant the adjustment using the Mayor's recommended design it would be acceptable to his company. Commissioner Ricks moved to grant a rate adjustment using the Gas Company's design. The motion died for lack of a second. Commissioner Hopson moved to deny the rate adjustment. Commissioner Crain seconded the motion. Commissioners Hopson and Crain voted affirmatively. Mayor Garrison and Commissioners Ricks, Wareing, and Leamon voted negatively. The motion failed. Commissioner Ricks moved and Commissioner Wareing seconded to grant the rate adjustment using the Mayor's design. A discussion followed in which Mrs. Pauline Burris, Mr. John Henry Tatum, Mr. Bill Perkins and Mr. Charles Crain spoke against the adjustment for several reasons. The Mayor and Commissioner Ricks spoke in favor of the adjustment. City Attorney Flournoy explained that for \$1,000.00 the rate experts would only look at the figures furnished by the Gas Company and any advice other than that would cost probably \$4,000.00 or \$5,000.00. Commissioner Crain stated he still thought a rate expert should be hired. The Mayor said that he believed the figures given by the Gas Company to be very fair and that he believed they were entitled to an adjustment. Mayor Garrison asked for a vote on the motion. Mayor Garrison and Commissioners Wareing, Ricks and Leamon voted affirmatively. Commissioners Hopson and Crain voted negatively. The motion passed, with four (4) affirmative and two (2) negative votes recorded.

(b). City Attorney Flournoy read the ordinance in its entirety granting the United Gas Company's request for a rate adjustment including the following rate design.

Residential

\$2.00 per month, which includes the use of	800 cubic feet
11.5¢ per 100 cubic feet for the next	2200 cubic feet
8.5¢ per 100 cubic feet for the next	7000 cubic feet
6.5¢ per 100 cubic feet for all additional gas used.	

Commercial

\$2.50 per month, which includes the use of	800 cubic feet
13.0¢ per 100 cubic feet for the next	2200 cubic feet
8.5¢ per 100 cubic feet for the next	7000 cubic feet
6.5¢ per 100 cubic feet for all additional gas used.	

Commissioner Ricks moved and Commissioner Wareing seconded to pass the ordinance on first reading. Mayor Garrison and Commissioners Ricks, Wareing, and Leamon voted affirmatively. Commissioners Crain and Hopson voted negatively. The motion carried. Four (4) affirmative votes and two (2) negative votes were recorded.

(c). City Manager Westerholm explained his Water and Sewer rate design report. He stated that this recommendation would provide the necessary monies to satisfy our requirements to provide \$200,000.00 more in the Water and Sewer Revenue Fund. A discussion followed in which the Commission, Mr. John Henry Tatum, Mr. Charles Crain and Mr. William Drew Perkins expressed themselves. City Attorney Flournoy read the caption and schedule of water rates.

Water Rates

<u>Residential and Commercial</u>		<u>Inside City</u>	<u>Outside City</u>
First	1,500 gallons (minimum).....	\$2.50	\$3.75
Next	5,500 gallons (per M).....	.65	.97½
Next	3,000 gallons (per M).....	.60	.90
Next	10,000 gallons (per M).....	.55	.82½
Next	20,000 gallons (per M).....	.50	.75
Next	60,000 gallons (per M).....	.45	.67½
Next	100,000 gallons (per M).....	.40	.60
Next	300,000 gallons (per M).....	.35	.52½
Next	500,000 gallons (per M).....	.30	.45
All over	1,000,000 gallons (per M)..<	.21	.32

Commissioner Crain moved and Commissioner Leamon seconded to pass the Water Ordinance on first reading. A unanimous affirmative vote was recorded.

(d). City Manager Westerholm then explained the proposed Sewer Ordinance. Commissioner Wareing said he needed more time to study the ordinance. Several members of the Commission expressed the same view. After a discussion, the Mayor stated the ordinance would be placed on the agenda for the next regular meeting. No action was taken at this time.

(e). A request to pay Estimate #1 from Moore Bros. Construction Company in the amount of \$5,659.63 for work on Reen and Roseneath Streets was made by the City Manager. Commissioner Ricks moved and Commissioner Crain seconded to authorize the payment. A unanimous affirmative vote was recorded.

(f). City Manager Westerholm read a letter from Mr. Otis Shelton in which he complimented the City Officials and the Fire Department for handling the fire at his business some days ago. Mayor Garrison stated that he too wanted to compliment the Police Department on handling our recent problems so well.

(g). The Commission agreed with the City Manager's recommendation to place two (2) sections of sewer pipe under the proposed Loop #287 while it could be open-trenched, rather than to wait and bore it under the pavement at approximately three (3) times the cost of open trench.

(h). City Manager Westerholm presented the Commission with his recommended 1970-1971 Budget and it was decided that a workshop would follow the next regular meeting to discuss the new budget.

(i). Commissioner Wareing asked the City Attorney to look into how members of various boards were appointed and bring all boards up-to-date at the next regular meeting.

6. There being no other business, Commissioner Crain moved and Commissioner Hopson seconded to adjourn. Unanimous affirmative vote was recorded. The meeting adjourned at 10:05 P. M.

Peter D. Garrison
Mayor - City of Lufkin, Texas

ATTEST:

Wayne Stokes
Acting City Secretary - City of Lufkin, Texas