

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 18TH DAY OF JANUARY, 1972, AT 7:30 P. M.

On the 18th day of January, 1972, 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
Joe E. Rich	Commissioner, Ward No. 3
Edgar C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
B. 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. David Blancett, Pastor of Wood-lawn Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed visitors.
3. Approval of Minutes

Comm. J. T. Hopson made motion that minutes of regular meeting of January 4, 1972, be approved. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous affirmative vote was recorded.

4. Zone Change Application - Arthur Bresie from R-1 to A District

Mayor Garrison called on Mr. Herman E. Bate, Attorney for Mr. Arthur Bresie. Mr. Bate delivered a short statement on behalf of Mr. Bresie withdrawing his application for zone change covering property located on the South side of California Boulevard between Bynum Street and Lotus Lane, and stated that Mr. Bresie would further discuss this zone change with his neighbors and if an agreement could be made, he would again file for zone change with the City Planning and Zoning Commission. Mr. Bate thanked the City Commission for its consideration and apologized for any inconvenience that may have been rendered. City Commission approved this withdrawal.

5. Police & Fire Depts. - Lufkin Industries Letters of Appreciation

Mayor Garrison read two letters from Mr. Robert L. Poland, President of Lufkin Industries, Inc., to the Fire Chief and Police Chief which covered both departments for jobs well done at the Mill Supply Division fire on January 13, 1972.

6. Ordinances on Proposed Annexations

Comm. E. C. Wareing made motion that Ordinance covering annexation of Tract #1, Lufkin Independent School District & Others, as recommended by the City Planning and Zoning Commission be passed on second reading. Comm. W. O. Ricks, Jr., seconded the motion and a unanimous affirmative vote was recorded.

Comm. J. T. Hopson made motion that Ordinance covering annexation of Tract #2, Miller Enterprises, Inc., as recommended by the City Planning and Zoning Commission, be passed on second reading. Comm. B. E. Atkinson, Jr., M.D., seconded the motion and a unanimous affirmative vote was recorded.

Comm. B. E. Atkinson, Jr., M.D., made motion that Ordinance covering annexation of Tract #3, Brookhollow #5 Addition, as recommended by the City Planning and Zoning Commission be passed on second reading. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous affirmative vote was recorded.

7. Zone Change Application - Jimmy F. Ainsworth from R-1 and C Districts to C District and Special Use

City Attorney Flournoy read Ordinance changing zone from R-1 and C Districts to C District and Special Use (Art. XV, Section 16, Private Clubs, etc.) covering property located at 1905 South First Street known as Milton Motel owned by Jimmy F. Ainsworth. There being no persons present to object to this change, Comm. Roy L. Leamon, M.D., made motion that Ordinance be passed on second reading. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

8. Zone Change Application-Temple Industries, Inc., from LB to CB Dist.

City Attorney Flournoy read Ordinance changing zone from LB to CB Districts covering portion of property across U. S. Highway 59 South from Angelina College owned by Temple Industries, Inc. There were no persons present to object to this change. Comm. Joe E. Rich made motion that Ordinance be passed on second reading. Motion was seconded by Comm. J. T. Hopson and a unanimous affirmative vote was recorded.

9. Speed Limits on U. S. Highway 59 North

City Attorney Flournoy read caption of Ordinance amending Ordinance #193 providing maximum speed limits on certain portions of Timberland Drive (U. S. Highway 59 North) as recommended by the State Highway Department and discussed previously in City Commission meetings. Comm. E. C. Wareing made motion that Ordinance be passed on second reading. Motion was seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous affirmative vote was recorded.

10. Used Dragline, Curb & Gutter Machine and Curb & Gutter Steel Forms

City Manager Westerholm stated that bids had been received for a used dragline, curb and gutter machine and steel curb and gutter forms. City Manager Westerholm further stated that the City Commission had only authorized bids for the used dragline and other bids including curb and gutter forms and paving machine were items that the City Commission had previously approved as follows:

Name of Company	Used Dragline $\frac{1}{2}$ to 1 Yd. Bucket	Curb & Gutter Paving Machine	Approx. 600 Ft. of Steel Curb & Gutter Forms w/Spacers & Pins
Nichols Mach. Co., Houston	\$11,475.00		
Curb Master of America, Inc. Cedar Falls, Iowa		\$6,652.00 w/Trailer	
R. B. Everett & Co. Houston, Texas		\$8,885.00 w/o Trailer	7.32 Per Ft. (Std.) 8.68 Per Ft. (Flex)
South Texas Equip. Company, Inc. Houston, Texas		\$6,598.00 w/Trailer	6.16 Per Ft. (Std.) 6.42 Per Ft. (Flex)
Metal Forms Corp. Milwaukee, Wis.			6.39 Per Ft. (Std.) 6.65 Per Ft. (Flex)
A & B Equip. Co. Ft. Worth, Texas		\$7,857.50 w/o Trailer 5% Discount w/Order	6.57 Per Ft. (Std.) 7.69 Per Ft. (Flex)

NOTE!

1,000 Ft. Regular Forms at 6.16 Per Ft.	= \$6,160.00
100 Ft. of Flex Forms	= 642.00
Curb & Gutter Paving Machine	= 6,598.00
Misc. Tools Not Shown on Bid	= 600.00
	<u>\$14,000.00</u>

City Manager Westerholm stated that even though a bid had been received for a used dragline, he would like to further investigate the situation for consideration at a later meeting. City Manager Westerholm recommended that South Texas Equipment Company be awarded the bid for the curb and gutter machine in the amount of \$6,598.00 and steel curb and gutter forms in the amount of \$6.16 and \$6.42 per foot. After a brief discussion, Comm. W. O. Ricks, Jr., made motion that the City accept the bid of South Texas Equipment Company, Inc., in the amount of \$6,598.00 for the curb and gutter machine and \$6.16 and \$6.42 per foot for the curb and gutter forms. Motion was seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

11. Texas Power & Light Co. - Application for Rate Increase

Although Texas Power & Light Co. was not on the agenda, Mayor Garrison stated that Mr. James B. Manning, District Manager of Texas Power & Light Company in Lufkin, was present. Mayor Garrison asked Mr. Manning a number of questions concerning the rate increase but was primarily concerned about Texas Power & Light Company's justification toward using a system wide approach in a 6% rate increase in the Lufkin area. Mr. Manning stated that he had met with the City Manager, City Attorney and Finance Director earlier in the week and it was his understanding that all questions had been answered. Comm. E. C. Wareing asked Mr. Manning if he could write Mr. Austin, President of Texas Power & Light Company, to see if records indicated any knowledge of previous court proceedings concerning the question of system-wide rate base. Comm. W. O. Ricks, Jr., asked Mr. Manning what possibilities the City may have toward increasing the present 2% gross receipt tax. In answer to these questions, Mr. Manning stated that he would check with Mr. Austin in this regard as well as the possibilities of a gross receipt tax increase. After considerable discussion, it was the opinion of the City Commission that the rate attorney for Texas Power & Light Company call the City Attorney who would discuss the questions presented by the City Commission. Mr. Manning was in agreement with this decision and asked that he be placed on the agenda for the next regular meeting of the City Commission of February 2 and February 15, 1972.

12. Codification of Ordinances

City Attorney Flournoy stated that the City had received advance copies of the Codification of Ordinances and suggested passage of ordinance on first reading accepting as official these codifications. Comm. E. C. Wareing desired to see the changes that had been made in the old ordinances. Mayor Garrison asked City Manager Westerholm if the City could not get an appraisal of this codification. City Manager Westerholm suggested that Mr. John S. Seabold of the Municipal Code Corporation, Tallahassee, Florida, be notified in regard to these questions by the City Commission members. After considerable discussion, it was the decision of the City Commission that Mr. Seabold be notified to appear before the City Commission at a later date and City Attorney Flournoy would furnish additional information if needed.

13. Fuller Springs & Hudson Incorporation

Mayor Garrison inquired as to the status of the incorporation of Hudson and Fuller Springs. City Attorney Flournoy stated that both suits had been filed, pending hearing.

14. Henningson, Durham & Richardson, Inc. - Payment of Invoices

City Manager Westerholm stated that invoices had been received from Henningson, Durham & Richardson, Inc., in the amount of \$18,521.60 and \$891.00. Comm. W. O. Ricks, Jr., asked City Manager Westerholm if he recommended payment of these invoices, and after recommendation had been made by the City Manager, Comm. W. O. Ricks, Jr., made motion that Henningson, Durham & Richardson, Inc., invoices for the amount of \$18,521.60 be paid. Motion was seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

Comm. W. O. Ricks, Jr., made motion that Henningson, Durham & Richardson, Inc., invoice of \$891.00 also be paid. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

15. Proposed Sale of Sewer Revenue Bonds - Discussion

Mayor Garrison inquired of City Manager Westerholm as to the status of the City's proposed sale of sewer revenue bonds for construction of the proposed sewer plant. City Manager Westerholm stated that the notice of sale and rate were one and the same process and that he had not recently talked with fiscal agent, Tom Wolff. Mayor Garrison asked City Manager Westerholm to have Mr. Wolff appear at the next regular meeting of the City Commission and to inform Mr. Wolff that the City Commission was ready for a notice of sale.

16. Proposed Civic Center Site Discussion

City Manager Westerholm informed the City Commission that he had made a preliminary inquiry concerning the possibility toward the purchasing of the following tracts:

<u>Tract</u>	<u>Acreage</u>
Central School	3.440
Episcopal Church	.963
Church of Christ	.642
Leediker Apartments	.321
	<u>5.366</u>

Comm. W. O. Ricks, Jr., asked that the City Manager check with the First Baptist Church regarding their property for a proposed parking area since it was near the proposed site. Mayor Garrison instructed City Manager Westerholm to further research these proposed sites for an area that could seat at least 2,500. Comm. E. C. Wareing stated that the City should carefully research this project since the City may not be able to initially afford such a large facility, and further stated that the City should build in an area that allows for future expansion.

17. Kurth Memorial Library - Discussion of Plans

Mayor Garrison stated that a number of questions had been directed by citizens on the construction of the Kurth Memorial Library and the City Planning and Zoning Commission had reviewed these plans and made several observations. Comm. W. O. Ricks, Jr., pointed out the fact that the height of the brick walls surrounding the library were in violation of City Ordinances. Comm. B. E. Atkinson, Jr., M.D., stated that he had not previously seen these particular plans. After considerable discussion, Comm. B. E. Atkinson, Jr., M.D., made motion that the library contractor be instructed to discontinue further construction within the street curb lines without approval of the City Commission. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

18. Music in Parks & Downtown Areas

Comm. B. E. Atkinson, Jr., M.D., suggested the City consider the installation of speakers in the City parks and downtown areas to play music. Comm. B. E. Atkinson, Jr., M.D., stated that he had noticed other Cities following this procedure and was impressed with the results. Attention was directed to the fact that this had been experimented in the local downtown buildings but complaints had been directed toward the loudness it created.

19. Traffic Problem - Calder Square

Comm. W. O. Ricks, Jr., stated that he was concerned about the closing of the street in the Calder Square area which had been created because of the Kurth Memorial Library parking entrance construction. Mayor Garrison informed the City Commission that he and City Manager Westerholm had previously discussed this problem and recommended it be included in a traffic study by Henningson, Durham & Richardson, Inc.

20. Southern Hushpuppy Olympics

Comm. Joe E. Rich stated that he had reviewed the proposal of the Lufkin Booster Club for holding a Hushpuppy Olympics in Lufkin and he believed that this event would bring recognition to the Lufkin area. After some discussion, Comm. Joe E. Rich made motion that this event be endorsed by the City Commission. Motion was seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous affirmative vote was recorded.

21. Street Sweepers - Discussion

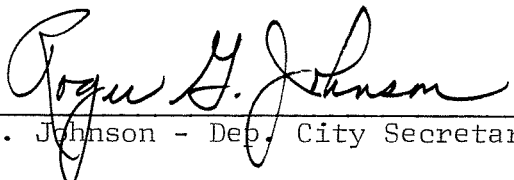
Comm. Roy L. Leamon, M.D., stated that he had noticed the streets in Lufkin seemed to be cleaner and asked if the new street sweepers were the results of this cleanliness. City Manager Westerholm remarked that the City was still using only the one sweeper and the new sweepers had not been delivered.

22. Adjournment

There being no further business for consideration, meeting was adjourned at 9:50 P. M.

  
Mayor - City of Lufkin, Texas

ATTEST:

  
Roger G. Johnson - Dep. City Secretary