

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 17TH DAY OF JULY, 1973, AT 5:00 P. M.

On the 17th day of July, 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:

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| 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 |
| Harvey Westerholm | City Manager |
| Robert L. Flournoy | City Attorney |
| Roger G. Johnson | City Secretary |

being present, and

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| J. T. Hopson | Commissioner, Ward No. 2 |
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being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. Quentin Payne, Pastor of First Presbyterian Church, Lufkin, Texas.
2. Mayor Garrison welcomed a small group of visitors who were present in regard to items on the agenda and as observers.
3. Approval of Minutes

Comm. E. G. Pittman made motion that minutes of regular meeting of the City Commission of July 3, 1973, be approved. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

4. Zone Change Application - Mrs. Tessie Crawford from R-3 District to A District & Special Use, Item 13

Mayor Garrison introduced Mr. Jerry E. Hill, a member of the City Planning and Zoning Commission, and invited him to sit with members of the Commission and speak in representation of the City Planning and Zoning Commission. Mayor Garrison briefly explained that zone change application by Mrs. Crawford had been tabled from last regular meeting in order to allow members of the City Commission an opportunity to more thoroughly investigate circumstances. Mayor Garrison called on John Stover, Attorney appearing in behalf of Mrs. Tessie Crawford. Mr. Stover stated that he had no additional comments in regard to application unless members of the Commission desired to ask further questions regarding same. Appearing in opposition to zone change application by Mrs. Crawford were Mrs. Winfred H. Simmons and Mrs. Edgar Bronson who were present at last regular City Commission meeting. Mrs. Simmons stated that she desired only to re-emphasize her opposition as stated during last regular City Commission meeting and thanked members of the City Commission for their understanding attitude.

Considerable discussion developed regarding zone change application and Comm. R. A. Brookshire stated that he had personally investigated the proposed construction site for the nursing home and believed residents of this area had a valid argument. Other members of the Commission indicated their concern for locating a nursing home within this area near a railroad and a milk company, which may not be desirable. Members of the Commission were also of the opinion that this particular area was attempting to up-grade existing conditions with the construction of new houses. Mayor Garrison

expressed his reluctance to fail to comply with recommendations of the City Planning and Zoning Commission, and called on Mr. Jerry Hill to explain previous recommendation of the City Planning and Zoning Commission to approve application. Mr. Hill explained that Mr. & Mrs. Simmons were the only residents who had appeared at the City Planning and Zoning Commission meeting objecting to application and noises caused by a near-by railway system and milk company were not discussed. Mayor Garrison stated that property owners should receive number one priority protection unless an over-riding public interest was involved. Comm. R. A. Brookshire then made motion that zone change application by Mrs. Tessie Crawford from R-3 District to A District & Special Use, Item 13, be denied. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

5. Proposed Annexation & Permanent Zoning - Mrs. Jesse M. Starr

Mayor Garrison stated that annexation and permanent zoning of a 15.755 acre tract located West of Old Diboll Highway between Loop 287 and Gobbler Knob Road had been approved on first reading at last regular meeting. There were no persons present appearing in opposition to annexation and permanent zoning and City Attorney Flournoy read caption of ordinance for second and final reading annexing and permanently zoning a 15.755 acre tract to A and LB Districts. Comm. W. O. Ricks, Jr., made motion that ordinances annexing and permanently zoning a 15.755 acre tract to A and LB Districts be approved on second and final reading as read by City Attorney Flournoy and recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

6. Zone Change Application-Estate of Jack Nerren from D District to LB District

Mayor Garrison stated that zone change application by Estate of Jack Nerren from D District to LB District covering property located South of Paul Avenue between Third Street and Fourth Street and immediately North of Bremond Avenue on Lot Nos. 10, 11 and 12 of Block 31, in the Original Townsite of Lufkin, Texas, had been unanimously recommended for approval during last regular City Commission meeting. There were no persons present appearing in objection to zone change application. Comm. W. O. Ricks, Jr., made motion that zone change application by Estate of Jack Nerren from D District to LB District be approved on second and final reading as recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

7. Electrical Ordinance #239 - Amendment Discussed

Comm. E. C. Wareing had several questions regarding amendments of Electrical Ordinance #239 as made by City Attorney Flournoy in Section 7-69(a), Items 1 and 3, indicating that they did not agree. Considerable discussion developed and Comm. R. A. Brookshire expressed his concern as to why this particular ordinance was needed. City Attorney briefly explained that the industrial ordinance was being considered to benefit industry as well as the City. Mayor Garrison explained that the City Electrical Ordinance, when initially approved, deleted the industrial section until the Electrical Board could make recommendations as recently presented for consideration by members of the City Commission. Comm. E. G. Pittman stated that he had reviewed the amendments to the Electrical Ordinance, but desired even more time for further consideration, if possible. Mayor Garrison suggested that the City Electrical Board review comments made by City Attorney Flournoy before members of the City Commission made final decision on amendments as presented. Mayor Garrison also suggested that comments as presented by Comm. E. C. Wareing also be reviewed by the Electrical Board. Comm. R. A. Brookshire then made motion that amendments to the Electrical Ordinance #239 be placed on the agenda for next regular meeting or as soon as possible. Motion was seconded by

Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

8. Parks & Recreation Dept.-Future Park-Sewer Treatment Plant Site-Southview Park

Mayor Garrison called on Max Griffin, Parks & Recreation Director, to review previous report submitted to members of the Commission concerning the use of property at the current sewer treatment plant site as a future park. Mr. Griffin stated that Southview Park development project would be an excellent location for a park with good accessibility. Mr. Griffin reviewed his report and answered numerous questions as presented by members of the Commission. Mr. Griffin stated that the Parks & Recreation Department would recommend developing softball fields, bicycle and hiking trails, playgrounds, tennis courts, picnic areas and pavilions in this area with a cost to the City of approximately \$20,500. Mayor Garrison suggested that development of Southview Park be included in next regular budget and Comm. R. A. Brookshire further suggested that revenue sharing money be used for this development. Other members of the Commission were in agreement that consideration should be made for development of Southview Park in next annual budget.

9. Proposed Budget - 1973-74 Fiscal Year - Discussion

Members of the Commission were presented a copy of the 1973-74 Fiscal Year Budget for comment and review. Mayor Garrison suggested that Finance Director furnish a separate, planned, Revenue Sharing Money pamphlet indicating where Revenue Sharing money would be spent. Members of the Commission were in unanimous agreement with suggestion as presented by Mayor Garrison. Considerable discussion developed regarding the proposed budget and Comm. R. A. Brookshire suggested that a workshop be held by the City Commission as soon as possible. Comm. Joe E. Rich indicated his concern for delinquent taxes and if City officials had made progress in the collection of same. Mayor Garrison suggested that employees of the Tax Department consider personal phone calls to tax delinquent citizens in an attempt to collect delinquent taxes accordingly. Comm. R. A. Brookshire asked City Manager Westerholm for another report on delinquent taxes by next regular meeting indicating a current delinquent tax figure and another figure indicating amount of taxes collected within an approximate two-week period.

10. Henningson, Durham & Richardson, Inc.-Approval of Invoice

Mayor Garrison stated that invoice from Henningson, Durham & Richardson, Inc., Engineering Firm, #D5629 had been received by the City and was due for payment. Mayor Garrison asked City Manager Westerholm to furnish a resume of Henningson, Durham & Richardson's total account from initial invoice by next regular meeting. Following a brief discussion, Comm. E. C. Wareing made motion that Invoice #D-5629 from Henningson, Durham & Richardson, Inc., in the amount of \$1,964.34 be paid accordingly. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

11. Texas Water Quality Board - Discussion

City Manager Westerholm stated that members of the City Commission had previously requested he write the Texas Water Quality Board in regard to their opinion concerning requests for sewer services outside the extraterritorial jurisdiction of the City. City Manager Westerholm stated that a copy of this letter had been made available to members of the Commission for review and consideration.

12. Brandon Community Center - Lufkin Jaycees - Discussion

Mayor Garrison called on Max Griffin, Parks & Recreation Director, who asked members of the City Commission if consideration could be made by members of the City Commission to provide funds for construction of two softball parks in the Kit-McConnico park. City Manager Westerholm stated that \$7,000 had previously been approved by the City Commission to improve the Brandon Community Center and the Lufkin Jaycees had accepted this improvement project disengaging the City's \$7,000 allocation. Considerable discussion developed and members of the Commission were in agreement that two softball parks in the Kit-McConnico park would serve an advantage to the City which indicated a definite need. Comm. E. C. Wareing then made motion that \$7,000 previously approved for construction of the Brandon Community Center be re-allocated for use in the development and construction of two softball fields in Kit-McConnico park. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

13. Street Closing - Howe Street - Central School Property

City Attorney Flournoy stated that he had recently reviewed property conditions in the Central School area and determined that Howe Street had never been officially closed by the City and suggested that members of the Commission consider a proposed ordinance closing same. City Attorney Flournoy also suggested that this particular street closing be approved on first and final reading due to its emergency nature. Members of the Commission were in agreement with suggestion and City Attorney Flournoy read caption of ordinance vacating and closing a portion of Howe Street and authorizing the Mayor to execute quit-claim deed to owners of property adjacent to the vacated street. Comm. E. G. Pittman made motion that ordinance be approved on first and final reading to vacate and close a portion of Howe Street and authorizing the Mayor to execute quit-claim deed accordingly. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

City Attorney Flournoy further stated that he had written Mr. E. J. Mantooth, Jr., in Houston, Texas, explaining the City's purchase of lots within the Central Elementary School area and explained errors made in deed transfers during an earlier date. City Attorney Flournoy explained that Mr. Mantooth had signed a correction deed and no further problems existed.

14. Blind Corners - Discussion

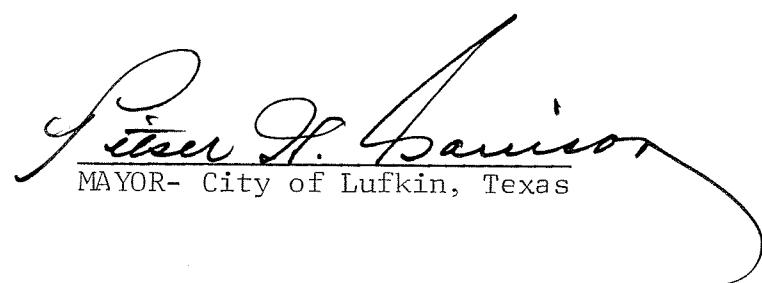
Comm. E. C. Wareing brought attention to the fact that many of the City streets had blind corners and City officials should make every attempt possible to locate these areas and remedy situations accordingly. Comm. E. C. Wareing further suggested that City officials set up a policy for blind corners, review this policy, and keep it active as possible. Comm. E. C. Wareing stated that many planted shrubs were a problem in residential areas. City Manager Westerholm stated that Traffic Safety Coordinator, Denzel Percifull, had been working on these problems and citizens had been most cooperative. Several areas were named in order that City officials may investigate accordingly. Comm. E. C. Wareing also asked City officials to be extremely watchful of blind corners in their normal activities around the City. Traffic Safety Coordinator, Denzel Percifull, was present and reported that he had conducted several surveys of blind corners in the recent past and confirmed information as presented by City Manager Westerholm that citizens had been quite responsive to requests to remove hazardous blind corner conditions on their property. Comm. E. G. Pittman requested that members of the press attending this meeting attempt to assist members of the City Commission by publicizing efforts being made to remedy blind corner problems throughout the City.

15. Curb & Gutter Paving - Discussion

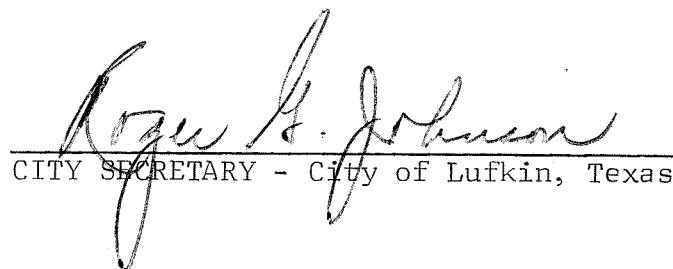
Comm. E. C. Wareing asked City Manager Westerholm to furnish an up-to-date status report on the City's curb and gutter paving projects including committments made by the City in the past as well as the future for review at next regular City Commission meeting.

16. Adjournment

There being no further business for consideration, meeting was adjourned at 6:50 P. M.


Peter H. Garrison
MAYOR- City of Lufkin, Texas

ATTEST:



CITY SECRETARY - City of Lufkin, Texas