

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 17TH DAY OF SEPTEMBER, 1974, AT 5 PM

On the 17th day of September, 1974, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Room at City Hall with the following members thereof, to-wit:

R. A. Brookshire	Commissioner, Ward No. 1
Pat Foley	Commissioner, Ward No. 2
Joe E. Rich	Commissioner, Ward No. 3
E. 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
David M. Cook	City Judge
Roger G. Johnson	City Secretary

being present, and

Pitser H. Garrison	Mayor
Robert L. Flournoy	City Attorney

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

1. Meeting opened with prayer by Rev. Grady Higgs, Pastor of First Baptist Church of Keltys, Lufkin, Texas.
2. Mayor Pro Tem Wareing recognized the presence of a small group of visitors who were present in connection with items on the agenda or as observers.
3. Approval of Minutes

Comm. Pat Foley made motion that minutes of regular meeting of September 3, 1974, be approved. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

4. 1974-75 Fiscal Year City Budget - Approval of Ordinances

Mayor Pro Tem Wareing stated that a tentative City Budget for the 1974-75 Fiscal Year had been approved during last regular meeting and since that time, additional requests had been received for funds in the proposed budget.

Mayor Pro Tem Wareing stated that the requests were from Kurth Memorial Library in the amount of \$1,500 and Retired Senior Volunteer Program in the amount of \$500. Mrs. Delores Wheeler was present representing the RSVP program and was called on to give a brief description concerning the activities of same.

Comm. Joe E. Rich requested members of Commission seriously consider request submitted by Kurth Memorial Library for funds in amount as previously stated in order that citizens could have a better opportunity to secure books when necessary. A brief discussion developed and Comm. Joe E. Rich made motion that proposed budget be amended to include request for additional funds by Kurth Memorial Library in the amount of \$1,500. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Comm. Pat Foley made motion that proposed City Budget be amended to include \$500 request by the RSVP program in accordance with request as presented by Mrs. Wheeler. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

Comm. W. O. Ricks, Jr., expressed his concern regarding additions to Kit McConnico Park area as outlined in proposed budget and stated he was of the opinion that the Commission had decided not to make these additions during a previous meeting in the amount of \$15,450.

Comm. E. G. Pittman expressed his opinion that the last three items under the proposed park budget in the amount of \$10,450 should remain in the proposed budget. Comm. R. A. Brookshire and Comm. W. O. Ricks, Jr., both expressed their personal concern that the Water Pollution Control Plant should receive top priority and all citizens within the City be served with sewer facilities before additions of this nature, as proposed for Kit McConnico Park.

City Manager Westerholm stated that the Commission had previously authorized the construction of two softball fields within the Kit McConnico Park area and deletion of this money from the proposed budget would not provide for restroom facilities in this area.

Comm. W. O. Ricks, Jr., then made motion that proposed City Budget be amended by deleting \$15,450 from the Recreation & Parks Department budget including various park improvements. Motion was seconded by Comm. R. A. Brookshire.

Mayor Pro Tem Wareing then recognized Max Griffin, Recreation & Parks Department Director, who briefly stated his personal opinion regarding previous motion and second for deletion of these funds. Mr. Griffin stated that, providing the Commission decided to remove these funds from the Recreation & Parks Department budget, he would prefer to have cuts in other areas since these additions were more significant to his softball program at the present time. The following vote was recorded on previous motion and second:

Voting Aye: Comms. R. A. Brookshire and W. O. Ricks, Jr.

Voting Nay: Comms. Pat Foley, Joe E. Rich, E. C. Wareing and E. G. Pittman

Mayor Pro Tem Wareing declared motion denied by majority vote of four to two.

Comm. E. G. Pittman requested that a proposal be submitted involving improvements within this area before members of Commission considered appropriation of funds. Comm. W. O. Ricks, Jr., then made motion that proposed City Budget be amended and \$10,450 be deleted from proposed Recreation & Parks Department budget with this amount being placed in a Contingency Fund for consideration at a later date. Motion was seconded by Comm. Joe E. Rich and the following vote was recorded:

Voting Aye: Comms. R. A. Brookshire, Joe E. Rich, W. O. Ricks, Jr., and E. G. Pittman

Voting Nay: Comms. Pat Foley and E. C. Wareing

Mayor Pro Tem Wareing declared motion approved by majority vote of four to two. Comm. W. O. Ricks, Jr., stated that the Commission may desire to reconsider appropriation of these funds from the Contingency Fund at a later meeting as previously discussed.

Mayor Pro Tem Wareing asked David M. Cook, City Judge, to read caption of ordinances adopting an Appropriation Ordinance for the City Budget and Levying Taxes and providing for a General Fund and an Interest and Sinking Fund. Comm. Pat Foley made motion that Appropriation Ordinance adopting City Budget for 1974-75 Fiscal Year be approved. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

Comm. Pat Foley made motion that ordinance Levying Taxes and providing for a General Fund and an Interest and Sinking Fund be approved. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

9/17/74

5. Zone Change Application - Ramada Inn & Lufkin Club from C District to C District & Special Use, Art. XV, Sec. 16 (Private Clubs)

Mayor Pro Tem Wareing stated that ordinances had been approved on first reading during last regular meeting approving zone change applications by Ramada Inn and Lufkin Club from C District to C District & Special Use, Article XV, Section 16 (Private Clubs), covering property located immediately East of Holiday Inn and South of Loop 287 near intersection with U. S. Highway 59 South.

There were no persons present appearing in opposition to zone change applications as presented. Comm. Pat Foley made motion that zone change applications by Ramada Inn and Lufkin Club from C District to C District & Special Use, Article XV, Section 16 (Private Clubs) be approved on second and final readings. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

6. Zone Change Application-Home Savings & Loan Association from R-1 Dist. to R-1 Dist. & Special Use, Art. XV, Section 18 (Parking Lots)

Mayor Pro Tem Wareing stated that ordinance had been approved on first reading during last regular meeting approving zone change application by Home Savings & Loan Association from R-1 District to R-1 District & Special Use, Article XV, Section 18 (Parking Lots) covering property located immediately West of and parallel to Loop 287 between Crooked Creek Drive and South of property owned by Karol Keith Green.

There were no persons present appearing in opposition to zone change application as presented. Comm. Pat Foley made motion that zone change application by Home Savings & Loan Association from R-1 District to R-1 District & Special Use, Article XV, Section 18 (Parking Lots) be approved on second and final reading. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

7. City Planning & Zoning Commission-Appointment of Members

Mayor Pro Tem Wareing stated that two members of the City Planning and Zoning Commission had recently reached their terms of office expiration including Jerry E. Hill and Velma B. Reese.

Mayor Pro Tem Wareing stated that Mr. Tucker Weems had agreed to serve in place of Mr. Jerry E. Hill, and Mrs. Velma B. Reese, who had recently been appointed to fill the unexpired term of Mark Swan, Jr., had agreed to serve a new term.

Following a brief discussion, Comm. Pat Foley made motion that Mr. Tucker Weems and Mrs. Velma B. Reese be appointed for new terms to serve on the City Planning and Zoning Commission for a three-year period. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

Mayor Pro Tem Wareing then called on Mrs. Velma B. Reese, who was present, to receive her oath of office. Mrs. Reese was then sworn in by Mayor Pro Tem Wareing.

8. Resolution Approved - Jerry E. Hill

Comm. Pat Foley made motion that Mr. Jerry E. Hill, past member of the City Planning and Zoning Commission, be commended for his services from August 10, 1971, to September 12, 1974, and a resolution be approved accordingly. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

9. Zone Change Application-A. B. Youngblood, Jr., from R-1 District to LB District & Special Use, Article XV, Section 26-c (Office Buildings and/or Professional Services, and/or Retail Sales in Conjunction with Professional Services)

Mayor Pro Tem Wareing stated that zone change application by A. B. Youngblood, Jr., from R-1 District to LB District & Special Use, Article XV, Section 26-c (Office Buildings and/or Professional Services, and/or Retail Sales in Conjunction with Professional Services), covering property located immediately North of and adjacent to Loop 287, East of Tulane Drive and South of Card Drive, had been approved by the City Planning and Zoning Commission during a previous meeting.

There were no persons present appearing in opposition to zone change application as presented. Comm. R. A. Brookshire made motion that zone change application by A. B. Youngblood, Jr., from R-1 District to LB District & Special Use, Article XV, Section 26-c (Office Buildings and/or Professional Services, and/or Retail Sales in Conjunction with Professional Services) be approved on first reading of ordinance. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

10. Zone Change Application-Joe A. & Ofelia Wood from R-2 District to LB District

Mayor Pro Tem Wareing stated that zone change application by Joe A. & Ofelia Wood from R-2 District to LB District covering property located North of Abney Avenue between Culverhouse Street and Sayers Street, being Lot 4, Block 2 of the Treadwell Addition of Lufkin, had been approved by the City Planning and Zoning Commission during a previous meeting.

There were no persons present appearing in opposition to zone change application as presented. Comm. R. A. Brookshire made motion that zone change application by Joe A. & Ofelia Wood from R-2 District to LB District be approved on first reading of ordinance. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

11. Curb & Gutter Paving Petition-North Timberland Dr.-Approval

Mayor Pro Tem Wareing stated that the City Planning and Zoning Commission had previously recommended approval of curb and gutter paving petition by property owners on the West side of North Timberland Drive from a point at existing curb North to Forest Park Boulevard. It was further determined that due to the fact that the Texas Highway Department also owned property within this area, tie-ins would be made by the Texas Highway Department and no paving obligations would be incurred by the City. It was further determined that there were no utility movements for construction of this curb and gutter. Comm. W. O. Ricks, Jr., made motion that curb and gutter paving petition as circulated by property owners on the West side of North Timberland Drive from a point at existing curb North to Forest Park Boulevard be approved on first reading of ordinance at a cost not to exceed \$2.50 per linear foot. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

12. VFW - Request for Annual Carnival

Mayor Pro Tem Wareing stated that VFW had requested permission to conduct their annual carnival on property located South of Ford Chapel Road. A brief discussion developed regarding insurance, health certificates and zoning, and it was determined that allowance had been made for conducting this carnival in the past due to a non-conforming zoning situation provided adequate City health laws were enforced in conjunction with necessary liability insurance.

Comm. W. O. Ricks, Jr., made motion that VFW be permitted to conduct their annual carnival in accordance with request as presented and subject to conformance to City health standards and liability insurance. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

13. Petroleum Products, Plastic Trash Liners, Gradall Machine - Approval to Advertise for Bids

City Manager Westerholm stated that since the new City Budget had been adopted, it would be necessary to obtain authority from the Commission to advertise for bids on plastic trash liners, petroleum products and a gradall machine. City Manager Westerholm further stated that the City may be unable to advertise for bids on petroleum products if the Federal Energy Allotment Program stipulates that the City must stay with its present supplier, Polk Oil Company. City Manager Westerholm further stated that it may be necessary to consider paper bags in lieu of plastic bags since the price differential between paper bags and plastic bags was now narrowed.

Comm. E. G. Pittman then made motion that City Manager Westerholm be authorized to advertise for bids on petroleum products, plastic trash liners and a gradall machine. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

14. East Texas Service Corp. - Application for City Utilities

City Manager Westerholm stated that Mr. Joe C. Benton had recently written a letter on behalf of the East Texas Service Corporation request for future utilities and their proposed mobile home park which would be located on Highway 69 North at Loop 287. City Manager Westerholm explained that Mr. Benton desired consideration by the Commission regarding the Commission's reaction to supplying water and sewer to this area. It was further determined that Mr. Benton desired to develop his mobile home park in accordance with the City Mobile Home Park Ordinance. It was the unanimous consensus of the Commission that no further commitment should be made regarding water and sewer until present commitments were completed and no further extensions should be made unless a proposal for annexation was submitted by East Texas Service Corporation.

15. Henningson, Durham & Richardson - Change Order #4

City Manager Westerholm explained that he had received a letter from Mr. Bobby Scalf of HDR regarding Change Order #4. City Manager Westerholm stated that he had been informed by Mr. Scalf that HDR had discussed Change Order #4 with the EPA and the EPA would not allow participation in more than the unit bid price shown in the contract. City Manager Westerholm stated that this would amount to approximately \$5,000 more if Stephens Contracting Company was allowed 25% increase in unit prices. City Manager Westerholm recommended that the Commission stay with the basic contract under circumstances as presented. Comm. W. O. Ricks, Jr., then made motion that previous action by the Commission approving Change Order #4 be rescinded and City be authorized to proceed with the original contract agreement which did not provide for addition of a 15-inch lateral line off the major outfall line East to the lift station serving the Angelina College and South Highway 59 area. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

16. Entex, Inc.-Supply of Natural Gas to Animal Shelter Area

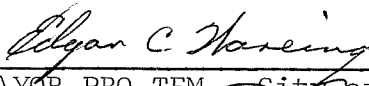
Mayor Pro Tem Wareing asked City Manager Westerholm if he had inquired as to the possibility of supplying natural gas to the animal shelter area. City Manager Westerholm stated that he had discussed this possibility with Entex officials. Entex estimated \$16,000 initial cost of extending the line to this point. Mr. Westerholm stated that he had requested Entex to submit a proposal to the City of Lufkin for consideration based on Entex's standard policy for extending gas lines to their customers.

17. Kit McConnico Park - Approval of Water Line

Comm. W. O. Ricks, Jr., stated that he was of the opinion that providing the City had the necessary pipe for extension of water lines in the Kit McConnico Park area and no additional cost would be necessary other than City labor, these extensions should be made. It was the unanimous consensus of the remaining City Council that this request by Comm. W. O. Ricks, Jr., be authorized and water lines be extended accordingly.

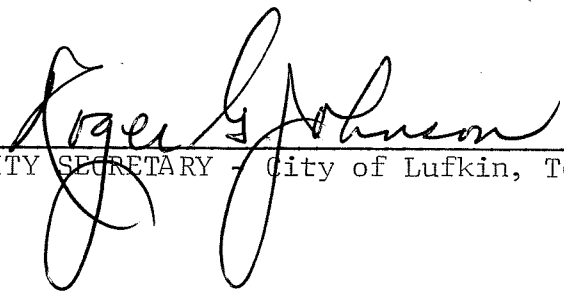
18. Adjournment

There being no further business for consideration, meeting was adjourned at 6:15 P. M., and Mayor Pro Tem Wareing asked that members remain for a brief executive session.



MAYOR PRO TEM - City of Lufkin, Texas

ATTEST:



CITY SECRETARY - City of Lufkin, Texas