

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 15TH DAY OF JUNE, 1971, AT 7:30 P. M.

On the 15th day of June, 1971, 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
J. T. Hopson	Commissioner, Ward No. 2
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, and

Roy L. Leamon, M.D.	Commissioner, Ward No. 1
Kenneth R. Crain	Commissioner, Ward No. 3

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

1. Meeting opened with prayer by City Secretary Durham.
2. Mayor Garrison welcomed a number of visitors in attendance and expressed appreciation for their interest in the affairs of the City.

3. Approval of Minutes

Comm. W. O. Ricks, Jr., made motion that minutes of regular meeting of June 1, 1971, be approved. Motion seconded by Comm. J. T. Hopson and a unanimous (5) affirmative vote was recorded.

4. Zone Change Application-W. F. Stephens, W. G. Thompson & Doyal Blackburn

City Attorney Flournoy read caption of Ordinance changing zone from R-1 District to A District on property fronting on the North side of Ellis Avenue near intersection of Cordelia and Randolph by above applicants which has been recommended by the City Planning and Zoning Commission. Mayor Garrison inquired if any persons present who were interested in the proposed zone change and there were none. He also asked if City Commission members had any comments and there were none. Comm. E. C. Wareing made motion that Ordinance covering the zone change be passed on second reading. Motion seconded by Comm. J. T. Hopson and a unanimous (5) affirmative vote was recorded.

5. Amendment of Sub-Division Ordinance

City Attorney Flournoy read Ordinance amending present Sub-Division Ordinance No. 1170 to include charge for administrative approval of plats by the City Planning and Zoning Commission. This was discussed in some detail and Comm. E. C. Wareing stated Section 5f, as well as Section 7, did not, in his opinion, clearly define the intention desired and suggested clarification of wording under these sections. Comm. E. C. Wareing then made motion that Ordinance be passed on first reading, subject to the changes as noted by City Attorney Flournoy in Sections 5f and 7. Motion seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous (5) affirmative vote was recorded.

6. Vumore TV Cable Operations

Mr. Jerry Kimmey, a local citizen, appeared before the City Commission and presented a petition signed by some 500 citizens of the City who are subscribers to the Vumore Cable service demanding that the City Commission put forth every possible effort to secure better TV reception from Vumore Company or consider canceling their franchise and securing a company that can provide acceptable TV viewing. Mr. Kimmey stated that these petitioners were totally and completely unhappy with

present Vumore service and that these petitioners all live within every section of the City. Mr. Kimmey listed the four following complaints on Vumore service:

- (1) The quality of service is continually bad from early morning until late at night;
- (2) No systematic manner of keeping tuned in on one channel --- there being instances at different times when four channels will carry the same program;
- (3) On clear days reception is fairly good, but on cloudy days, very bad, and when you call in to complain, you are told that the trouble lies with the transmission point at Coldsprings, Texas; and
- (4) Isn't there something the City Commission can do, or if there was a regulatory body that could be called upon, like the FCC, who could have a representative come in and view the reception to see exactly where the trouble lies.

Mayor Garrison thanked Mr. Kimmey for appearing before the City Commission and assured him that this matter was being given serious study and consideration by the City Commission. Mr. Pete Kempf, who previously managed the Vumore operations in Lufkin, was present and was questioned in detail by the City Commission members. Mr. Kempf stated that Vumore had expended \$623,622.41 covering 141 miles of cable service covering old and new area within the City and thought the service being rendered was the best. He stated that before the end of the year, two more channels will be micro-waved into Lufkin after approval by the FCC. Questioning by the City Commission brought out the fact that application for the new micro-wave channels with the FCC had not been made by Vumore, but was now in the process of making such application through Microvides, Inc. of Washington, D. C. Mayor Garrison asked Mr. Kempf if there was anything that Vumore Company could do to improve the quality of service for the City of Lufkin and he replied that he did not think there was anything that could be done. Comm. W. O. Ricks, Jr., stated he had been contacted by an electronic engineer in the City of Lufkin who stated that Lufkin was a depressed area as far as TV reception was concerned and that Vumore had done what they had agreed to do to improve such service. Comm. W. O. Ricks, Jr., also questioned Mr. Kempf regarding number of relay towers between Coldsprings and Lufkin. Mrs. Harry Callon, Jr., a visitor who was present, called attention to the good service she was receiving from Vumore and thought the Company should get some praise for their efforts. The City Commission instructed City Manager Westerholm to check into the franchise agreement as well as the possibility of having independent consultants come in to Lufkin and make a survey of the service being rendered by Vumore, Mr. Kempf having agreed to furnish names of such parties, and report back later.

#### 7. City Depository Bank

City Manager Westerholm stated bids had been received from two local banks as the Depository for City funds for the two-year period beginning July 1, 1971; namely, Texas National Bank and Lufkin National Bank. At this point, Mayor Garrison recused himself due to being an officer of the Lufkin National Bank, and requested Comm. B. E. Atkinson, Jr., M.D., Mayor Pro Tem, to officiate and took a seat in the audience. Mayor Pro Tem Atkinson asked City Manager Westerholm if he had a recommendation to make. City Manager Westerholm stated that these bids had been studied and tabulated and it was found that the bid of the Lufkin National Bank was the best and recommended that the Lufkin National Bank be selected as the Depository for City funds for the two-year period beginning July 1, 1971, and that contract be drawn up by City Attorney Flournoy accordingly. Comm. W. O. Ricks, Jr., made motion that City Manager Westerholm's recommendation of selecting the Lufkin National Bank as the Depository for City funds for the two-year period beginning July 1, 1971, be accepted and that contract covering be drawn up by City Attorney Flournoy. Motion seconded by Comm.

J. T. Hopson and a unanimous (4) affirmative vote was recorded.

Mayor Garrison then resumed his position on the City Commission and proceeded with the meeting and thanked Mayor Pro Tem, B. E. Atkinson, Jr., M.D., for handling the above item.

8. Proposed Neighborhood Park - Brandon Elementary School

City Attorney Flournoy presented an agreement between the City of Lufkin and the Lufkin Independent School District covering use of property at the old Brandon Elementary School as a neighborhood park. This agreement was gone over in detail and after minor changes in wording, Comm. B. E. Atkinson, Jr., M.D., made motion that the City approve the agreement with the Lufkin Independent School District and that Mayor Garrison be authorized to execute the agreement on the part of the City. Motion seconded by Comm. W. O. Ricks, Jr., and a unanimous (5) affirmative vote was recorded.

9. Amphitheater In Ellen Trout Park Area

City Manager Westerholm stated the City had received proposal from the Evening Lions Club to construct an amphitheater on the shore of Ellen Trout Lake in the park area which would be donated to the City Parks Department, but needed official approval before such construction could start. Comm. J. T. Hopson made motion that approval be given in principle to this construction, subject to specific plans being submitted for approval by the City. Motion seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous (5) affirmative vote was recorded.

10. Traffic Flow Pattern

City Manager Westerholm stated had heard from only one City he had written regarding traffic survey studies, although had written several requesting such information. He also stated that Jerry Hill of the architectural firm of Hill, Weiner, Morgan & O'Neal, Lufkin, Texas, was interested in making such traffic survey. Action on this item was withheld until next regular meeting.

11. Invoice Payments

City Manager Westerholm requested authorization for payment of the following invoices:

Everitt Griffith, Jr., & Associates	\$ 3,410.45
Henningson, Durham & Richardson, Inc.	\$27,782.40
Henningson, Durham & Richardson, Inc.	\$ 884.16
Jewel Hudgens Machine Company	\$ 2,057.04

Comm. E. C. Wareing made motion that the invoices of Everitt Griffith, Jr., & Associates and Jewel Hudgens Machine Company be authorized for payment. Motion seconded by Comm. W. O. Ricks, Jr., and a unanimous (5) affirmative vote was recorded.

12. New Swimming Pool Design

City Manager Westerholm presented preliminary plans covering proposed new swimming pool in Civic Club Park which were prepared by the City Engineering Department. He stated that unofficial discussion had occurred with personnel of the Lufkin Independent School District who had expressed a desire to enter into a cooperative agreement with the City covering the sharing of operating costs of such proposed swimming pool if it were an indoor pool and heated for year round use so it could be used in their physical training program. City Manager Westerholm stated that these preliminary plans covering the swimming pool design had been made up in order to be presented with application for matching funds from the government. After some dis-

cussion, Comm. E. C. Wareing made motion that the City be given authority to proceed with application for matching funds using the present preliminary plans with any changes being made later if an agreement is reached with the Lufkin Independent School District for sharing of operating costs. Motion seconded by Comm. W. O. Ricks, Jr., and a unanimous (5) affirmative vote was recorded.

13. Undesirable Movies

Comm. B. E. Atkinson, Jr., M.D., inquired if City Attorney Flournoy had received any information from Pasadena, Texas, regarding an Ordinance prohibiting the showing of "R Rated" movies on weekends. City Attorney Flournoy stated had been in contact with the Assistant City Attorney in Pasadena, and had not received the information desired as yet but would contact the City Attorney personally prior to next meeting.

14. Trailer Houses - Safety Measures

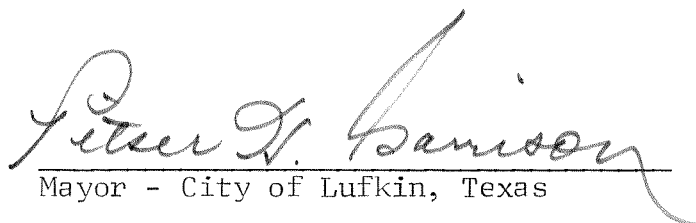
Comm. E. C. Wareing stated he thought the City Planning and Zoning Commission should consider an Ordinance requiring anchors for mobile homes for safety in high winds, etc., and made motion that this item be turned over to the City Planning and Zoning Commission for a recommendation on proposed Ordinance. Motion seconded by Comm. B. E. Atkinson, Jr., M.D., and a unanimous (5) affirmative vote was recorded.

15. Accesses to Loop 287

Comm. E. C. Wareing stated that since all areas had now been annexed to 300 feet beyond Loop 287 around the City, thought some study should be given, possibly by the City Planning and Zoning Commission, for accesses to the Loop for convenience and to expedite traffic flow. City Manager Westerholm stated that information on such accesses was available from the local office of the Texas Highway Department, a representative of which recently appeared before the City Planning and Zoning Commission and discussed this item.

16. Adjournment

There being no further business for consideration, meeting was adjourned at 9:15 P.M. in order that the City Commission could meet in executive session to discuss items of legal and personnel nature.

  
Peter W. Garrison  
Mayor - City of Lufkin, Texas

ATTEST:

  
Lynn L. Laska  
City Secretary - City of Lufkin, Texas