

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3RD DAY OF MAY, 1977, AT 7:30 P. M.

On the 3rd day of May, 1977, 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:

Pitser H. Garrison	Mayor
Pat Foley	Commissioner, Ward No. 2
Jack McMullen	Commissioner, Ward No. 3
E. C. Wareing	Commissioner, Ward No. 4
E. G. Pittman	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Roger G. Johnson	Asst. City Manager

being present, and

R. A. Brookshire	Commissioner, Ward No. 1
W. O. Ricks, Jr.	Commissioner at Large, Place A
Robert L. Flournoy	City Attorney

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

1. Meeting opened with prayer by Rev. Al Thomas, Pastor of the Unity Missionary Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed a large 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 April 19, 1977, be approved. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded.

4. Abandoned Vehicle Ord. Amended First Reading-Bid Awarded for Annual Wrecker Service

City Manager Westerholm stated that bids had been received for annual wrecker service from the following companies:

<u>Name of Company</u>	<u>Amount</u>
Selman Paint & Body Shop	\$60.00
R. T. Due's Wrecker Service	\$105.00
Morrow Buick-Pontiac, Inc.	\$60.00
Riley Truck Sales & Service	\$120.00
Williams Wrecker Service	\$15.00
Glenn's Auto Parts	\$72.50

City Manager Westerholm stated that low bid as stated above was from Williams Wrecker Service in the amount of \$15.00 per vehicle which covered cost of storage not to exceed 60 days and removal of vehicle from any location within the city. City Manager Westerholm further stated that all wrecker companies were required to provide adequate storage facilities and proper insurance as requested.

Following discussion, motion was made by Comm. E. G. Pittman to approve low bid submitted by Williams Wrecker Service in the amount of \$15.00 per vehicle as stated in bid in accordance with specifications. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded.

Comm. E. C. Wareing then made motion that ordinance be approved on first reading amending the existing Abandoned Vehicle Ordinance to provide changes as discussed at previous meeting. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

5. LISD-Lufkin Historical & Creative Arts Center-Proposed Use of First Baptist Church Annex

City Manager Westerholm reported that several interested groups within the community had made requests for use of the old First Baptist Church Annex property due to its recent relinquishment.

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Mayor Garrison recognized Mrs. Amanda Stover, Mrs. Joan Duncan and Mrs. Marge Beckman representing Lufkin Historical & Creative Arts Center. It was explained by these representatives that their organization desired use of the First Baptist Church Annex property across from the Civic Center for the purpose of expanding the parish hall and increasing the area for the present museum facility.

Mayor Garrison also recognized Dr. Cedric A. Allen, President of the Lufkin School Board of Education, representing the school's request for use of the building as a classroom location in conjunction with the Deep East Texas Regional Mental Health/Mental Retardation Services Program. Dr. Allen stated that this would be a one-year trial program and the school should provide space following this period if it was successful.

Mayor Garrison also recognized Mr. Barry Hays, Staff Manager of the Lufkin Visitor & Convention Bureau. Mr. Hays expressed the desire of the Visitor & Convention Bureau and City Board of Development for the use of these facilities in conjunction with the Civic Center activities in the future.

Mayor Garrison suggested that all groups which had requested use of the First Baptist Church Annex property in this area meet within the next week to determine a schedule which would not conflict and same be presented at a later meeting, inasmuch as information which had been presented indicated a workable solution could be reached.

Mayor Garrison thanked all individuals present and expressed his concern to satisfy the needs of all interested groups.

6. Men's Softball Assn.-Disc. of Lease Agreement

City Manager Westerholm reported that on April 6, 1976, the City Commission approved, on a one-year trial basis, an arrangement allowing the Lufkin Intermediate Softball Association major use of the Winston Park softball facility. City Manager Westerholm stated that Recreation & Parks Director Max Griffin had recommended the renewal of this present arrangement.

Mayor Garrison recognized Mr. Cooper Castleberry and other members of the softball association who were present representing their request. Mr. Castleberry explained that the association had spent considerable monies for the development of Winston Park facilities and members of the association preferred a long-term lease, if possible, in order to control the activities for major use as previously approved.

Mayor Garrison referred to letter of opposition from Mrs. Dana Holder representing the Women's Softball group and other groups affiliated with the use of this park. A copy of Mrs. Holder's letter is attached to minutes for permanent record, outlining her specific oppositions.

Mayor Garrison recognized Mrs. Holder and other representatives of the Women's Leagues with regard to their opposition. Mrs. Holder upheld oppositions outlined in her letter and invited further questions from members of Commission.

Mr. Cooper Castleberry requested that the Men's Softball Association be granted the same type agreement that the Youth Baseball Association had with the City. It was brought to Mr. Castleberry's attention that the City of Lufkin had no agreement with the Lufkin Youth Baseball Association in this regard.

Comm. E. C. Wareing stated that it appeared the City of Lufkin would receive money from the Texas Parks & Wildlife for improvements to Morris Frank Park, which would give the City new fields and help relieve the pressure at Winston Park.

Mayor Garrison stated that it was his understanding the Texas Parks & Wildlife application for improvements to Morris Frank Park would be approved in the next three to four weeks. Recreation & Parks Director Max Griffin, who was present, informed members of Commission that if this grant was approved, all the baseball fields would be at one location and the softball fields would be free for further expansion and use which should open new doors on present field problems existing at Winston Park. Mr. Griffin reported that programs were established for the conduct of the softball program to be self-financing without supplemental assistance and the program for the ensuing year had been planned to March 1, 1978, without conflict.

Comm. E. C. Wareing made motion that the City not alter its present plan as stipulated under the lease agreement with the Men's Softball Association and prior to March 1, 1978, all interested parties meet with the Recreation & Parks Director for a recommendation to the City Commission. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded.

7. Zone Change Postponed-A. E. Poulan from RL to A District

Mayor Garrison recognized Mr. A. E. Poulan in behalf of his zone change application from RL to A District covering property located South of Lilac Street between Hwy. 69 South and Lilac Street. Mayor Garrison stated that this zone change had been recommended to the City Commission by the City Planning and Zoning Commission on a five to one majority vote.

Mr. Poulan stated that he desired to change his property to this zoning for the purpose of expanding his existing apartment complex. Mr. Poulan stated that he would fence the area, if desired.

Mayor Garrison recognized a large group of individuals on Lilac Street who were representing opposition as stated by petition previously forwarded members of this Commission. Opposition present requested application not be approved due to the traffic volume which would create unsafe conditions for children in the area. Various alternatives were discussed for solutions to problems which had been presented by opposition to include solutions to existing drainage problems noted by property owners in opposition who stated that apartments would create even more drainage problems.

Mayor Garrison suggested that the City Engineering staff inspect this property for solutions to drainage problems and the effect further building of apartments may have on existing facilities. Mayor Garrison recommended deferral of this application for personal review of circumstances in this area and report by Engineering Department. The remaining balance of the City Commission was in agreement with this suggestion by Mayor Garrison and further consideration of this application was postponed until next regular meeting.

8. Zone Change Approved 1st Reading-Joe F. Martin, et al, from RL to HM Dist.

Mayor Garrison stated that zone change application by Joe F. Martin, et al, from RL to HM District covering property located immediately West of Sayers Street & South of & adjacent to A&NR Railroad had been recommended for approval by the City Planning and Zoning Commission.

There was no opposition present and Comm. Pat Foley requested that the minutes reflect no discussion in his behalf with regard to this application or vote due to personal interest.

Comm. E. C. Wareing made motion that zone change application by Joe F. Martin, et al, from RL to HM District be approved on first reading of ordinance. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

9. Zone Change Approved 1st Reading-Mr. & Mrs. William B. Floyd from RL & C District, Special Use, to C District

Mayor Garrison stated that zone change application by Mr. & Mrs. William B. Floyd from RL & C District, Special Use, to C District covering property located South of Highway 103 West and North of Central Freight Lines, fronting on West side of Loop 287, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to application. Comm. Jack McMullen made motion that zone change application by Mr. & Mrs. William B. Floyd from RL & C District, Special Use, to C District be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

10. Zone Change Approved 1st Reading-Wallace Davis from RL to RL District, Special Use (Dress Shop)

Mayor Garrison stated that zone change application by Wallace Davis from RL to RL District, Special Use (Dress Shop), covering property located West of & fronting on Ford Chapel Road, West of Renfro Drive area, had been recommended for approval by the City Planning & Zoning Commission.

There were no persons present appearing in opposition to application. Comm. E. G. Pittman made that zone change application by Wallace Davis from RL to RL District, Special Use (Dress Shop), be approved on first reading of ordinance. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

11. Home Savings & Loan Assn.-Permission Granted to Build Over Sewer Easement

City Manager Westerholm reported that the City had requested an easement across property located in Trailwood Addition owned by Home Savings & Loan Association for the purpose of constructing a sewer line. City Manager Westerholm stated that it would be necessary for the City Commission to authorize the City to grant Home Savings & Loan Association the right to build across this easement on their personal request to avoid restricting sale of property.

Comm. E. G. Pittman made motion that Home Savings & Loan Association be granted permission to build across this easement with special provisions outlined by the City Attorney. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

12. State Dept. of Highways & Public Transportation-Proposed Speed Zone Ordinance Postponed

City Manager Westerholm stated that the State Dept. of Highways & Public Transportation had conducted a traffic study on S. H. 94 (Frank Avenue) and FM 324 (Bynum Street/Southwood Drive) and had recommended adjustments in speed zones. City Manager Westerholm stated that these speeds had been recommended for change to increase the traffic flow in these areas.

Comm. E. C. Wareing stated that the City needed a more constant speed which these changes would not provide, and the City had not made request for these changes to his knowledge.

Mayor Garrison suggested that the City Manager request further information from the highway department with regard to their concern for maintaining constant speeds.

City Manager Westerholm stated that the City Commission had previously worked with the Texas Highway Department in this regard, and these recommendations were no different from recommendations made by the highway department throughout the state.

Comm. E. G. Pittman suggested that City Manager Westerholm visit with the highway department as previously suggested regarding this discussion.

Comm. E. C. Wareing stated that he was concerned for innocent citizens who would possibly be trapped by the change of a speed within a short distance on one street.

Comm. E. G. Pittman made motion that further consideration for speed zone changes in this regard be deferred to allow City Manager Westerholm an opportunity to discuss proposal submitted at this meeting with Texas Highway Department. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

13. Pentecostal Campground Property-Hearing Date Set for Annexation

Mayor Garrison stated that the City Planning and Zoning Commission had previously recommended annexation of the Pentecostal Campground property located East of & adjacent to U. S. Highway 59 South, and South of FM 819. Mayor Garrison stated that provided members of Commission desired to consider annexation of this property, a hearing date would have to be advertised.

Comm. E. C. Wareing made motion that hearing date be set for next regular meeting of May 17, 1977, at 5:00 p.m. for annexation of this property as recommended by the City Planning & Zoning Commission. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

14. City Commission-Alternate Meeting Date Set

Mayor Garrison stated that due to the fact members of this Commission would be attending an out-of-town meeting for Mayors & Commissioners on the first scheduled meeting in June, suggestion had been made that only one meeting be planned for June, which would fulfill charter requirements.

Comm. Pat Foley made motion that June 14 at 7:30 p.m. be established as the only meeting date of the City Commission for the month of June unless special meetings were necessary. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

15. Lufkin/Nacogdoches Commuter Airport (STOL)-Funds Approved for Feasibility Study

Mayor Garrison stated that he had recently received a letter from the Mayor and City Manager of Nacogdoches and a letter from the Federal Aviation Administration concerning a proposed commuter airport (STOL). Mayor Garrison stated that he was pleased that the Federal Aviation Administration was interested in establishing an airport between Lufkin and Nacogdoches and Nacogdoches had invited the City of Lufkin to join with them in the project.

Mayor Garrison recognized Mr. Tom Meredith and other individuals present representing this proposed study. Mr. Meredith stated that he had served on the study committee for the proposed regional airport which had not proved to be a feasible proposal either politically or financially. Mr. Meredith stated that this proposal for a commuter airport would provide a short take-off/landing area furnished through services of Metro Airlines. Mr. Meredith stated that he was of the opinion that the City and County of Nacogdoches would participate in this feasibility study which would involve approximately \$1,000 per government entity on a share basis, if the City of Lufkin decided to participate.

Mayor Garrison stated he was personally concerned that the commercial air transportation system would be lost for this area if the City and/or governmental agencies did not attempt to consider some type of alternate program.

Comm. Pat Foley made motion that the City of Lufkin participate in this feasibility study for an amount not to exceed \$1,000.

Comm. E. C. Wareing requested that Comm. Foley amend his motion to add that no further commitments would be involved other than continuation of this feasibility study. Comm. Foley amended his motion as suggested by Comm. Wareing who seconded his motion, and a unanimous affirmative vote was recorded.

Comm. E. G. Pittman inquired as to whether or not an answer would soon be available concerning construction of airport after study. It was determined that this study would provide the answers necessary for making this determination; and Mr. Jim Odom, who was present, stated that this study would require approximately one year.

16. Hearing Date Set-Annexation & Permanent Zoning-Tom Gann-Whitehouse Road

Mayor Garrison stated that the City Planning and Zoning Commission had recently considered additional property recommended by the City Commission for inclusion in request by Tom Gann for annexation and permanent zoning of property located between FM 58 and Highway 59 South, near Whitehouse Road. Mayor Garrison stated that provided members of Commission desired to proceed with this annexation and permanent zoning, it would be necessary to establish another hearing date.

Comm. E. C. Wareing suggested that two tracts be considered to separate properties. Comm. Wareing outlined the location of these tract separations for members of Commission who did not oppose his suggestion. Comm. Wareing then made motion that hearing date be set for next regular meeting May 17, 1977, at 5:00 p.m., for annexation and permanent zoning of this property. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

17. Board Appointments Approved-Zoning Board of Adjustment & Appeals, Examining & Supervising Board of Electricians, Plumbing Appeals & Advisory Board- City Board of Equalization

Mayor Garrison stated that various City boards needed either member replacements or re-appointments and the following information was reviewed:

Zoning Board of Adjustment & Appeals - Mrs. W. D. O'Quinn, Ray Henson,
Jack Irish and Earl Handley

Examining & Supervising Board of Electricians - Robert Beddingfield,
Leon Caver & Charles Morrison

Plumbing Appeals & Advisory Board - Jimmy Lawrence & George F. Ricks

City Board of Equalization - Earl Handley, Travis Carrington, Dick
Gardemal, Arthur Bresie & Leeland Petty

The above listed names were reviewed and motion was made by Comm. E. G. Pittman that the following individuals be replaced as members of Boards as indicated and old members be re-appointed for two-year terms to their specific Boards. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded.

Zoning Board of Adjustment & Appeals - Mrs. W. D. O'Quinn, Ray Henson,
Jack Irish, & Lynn Durham to re-
place Earl Handley

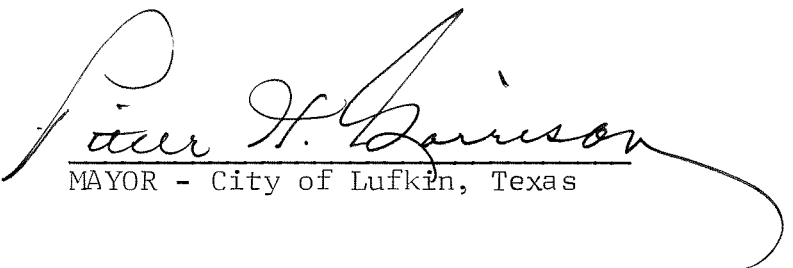
Examining & Supervising Board of Electricians - Robert Beddingfield,
Don Cutler and Jerry Vail to re-
place Leon Caver & Charles Morrison

Plumbing Appeals & Advisory Board - Jimmy Lawrence & George F. Ricks

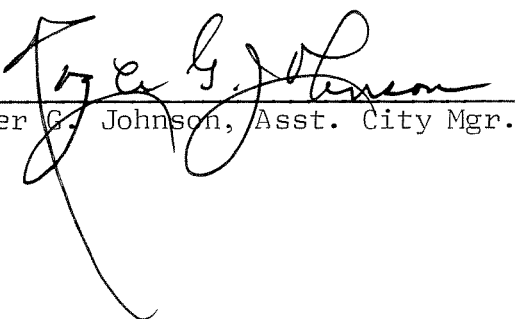
City Board of Equalization - Earl Handley, Travis Carrington, Dick Gardemal,
Arthur Bresie and Leeland Petty

18. Adjournment

There being no further business for consideration, meeting adjourned at 10:30 p.m.


MAYOR - City of Lufkin, Texas

ATTEST:


Roger G. Johnson, Asst. City Mgr.