

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 19TH DAY OF FEBRUARY, 1985 AT 5:00 P.M.

On the 19th day of February, 1985, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Chambers of City Hall with the following members thereof, to-wit:

Pitser H. Garrison	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Lynn Malone	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Jack Gorden, Jr.	Commissioner, Ward No. 5
Louis Bronaugh	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Brian Boudreaux	Assistant City Manager
Robert Flournoy	City Attorney
Ann Griffin	City Secretary
Nicholas Finan	City Planner

being present, and

Ron Wesch	Public Works Director
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being absent when the following business was transacted.

1. Meeting opened with prayer by Reverend Curtis Keith, Minister of First Christian Church, Lufkin, Texas.

**2. APPROVAL OF MINUTES**

Minutes of the regular meeting of February 5, 1985, were approved on a motion by Commissioner Pat Foley and seconded by Commissioner Don Boyd. A unanimous affirmative vote was recorded.

**3. ORDINANCE - APPROVED - SECOND READING - REINVESTMENT ZONE - TAX ABATEMENT PROGRAM - DOYLE OLIVER**

Mayor Garrison stated that the Commission had approved on First Reading at last meeting an Ordinance designating a Reinvestment Zone for Tax Abatement Program as requested by Doyle Oliver covering property located in the 800 block of North Raguet. There was no opposition present.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Don Boyd that Ordinance be approved on Second and Final Reading designating a Reinvestment Zone for a 15 year Abatement period. A unanimous affirmative vote was recorded.

In response to question by Commissioner Percy Simond, Mayor Garrison stated that future applicants are to be informed that the 15 year Tax Abatement period might not be available for their particular piece of property and time limits would be discussed at the Public Hearing.

**4. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - RAYFORD MCKINNEY - C TO RS**

Mayor Garrison stated that Ordinance for Zone Change Request by Rayford McKinney covering property located at 116 Joe C Lane between

South Medford Drive and LeMans Drive from Commercial to Residential Small had been approved on First Reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Don Boyd that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**5. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - FRED WALKER - RL TO C**

Mayor Garrison stated that Ordinance for Zone Change Request by Fred Walker covering property located on Lotus Lane between Herman Brown Circle and Henderson Drive from Residential Large to Commercial had been approved on First Reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Don Boyd that Ordinance be approved on Second and Final Reading. A unanimous affirmative vote was recorded.

**6. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - SUSIE WALL - LB TO LB, SU (DAYCARE)**

Mayor Garrison stated that Ordinance for Zone Change Request by Susie Wall covering property located at 912 Ellis Avenue between Bynum and Bledsoe from Local Business to Local Business, Special Use (Daycare) had been approved on First Reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Don Boyd that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**7. ORDINANCE - TABLED - FIRST READING - MOTION PICTURE RATINGS - MARTIN THEATER AGREEMENT, DISCUSSED**

Mayor Garrison stated that the City Commission had been discussing the possibility of an Ordinance in regard to regulating theaters in the City of Lufkin and that the City Attorney had visited with Martin Theaters' attorney, Jimmy Zeleskey, in an effort to draft an agreement outlining an admissions policy for the Martin Theaters in Lufkin and same had been submitted for consideration.

City Attorney Flournoy stated that he had met with the general management of Martin Theaters and Mr. Zeleskey who informed him that the Martin Theaters had decided to adopt policies to meet the needs of the citizens of Lufkin. City Attorney Flournoy stated that the Theaters have implemented the policies which include: Driver's Licenses as proof of age for an "R" rated movie, children under 17 must be accompanied by a parent or guardian throughout the movie, the "R" rated movies will be grouped on one side of the theater if possible, ropes will be used to guide customers into the "R" rated movies and prevent moving from movie to movie, and personnel would be added to receive ticket stubs and monitor persons attending "R" rated movies. City Attorney Flournoy stated that the management had also agreed that no children's tickets would be sold to "R" rated movies. City Attorney Flournoy further stated that no previews of "R" rated movies would be shown in any theaters where "G", "PG" or PG-13" movies are playing.

In response to question by Mayor Garrison, City Attorney Flournoy

stated that if Martin Theaters enforce the policies as presented an Ordinance would be unnecessary.

Commissioner Lynn Malone stated that he was satisfied with the policies as presented, but was concerned that some 17 year olds would not have a Driver's License for an I.D. Jimmy Zeleskey, attorney for Martin Theaters, stated that this possibility had not been discussed, but he would be open to any suggestions in this regard. Commissioner Louis Bronaugh stated that because an I.D. is necessary for cashing checks most people have a proof of age on them at all times. Mayor Garrison stated that it is possible to get a pocket-sized birth certificate for your wallet and this could be used as an alternative to the Driver's License.

Commissioner Bronaugh stated that there had been some discussion regarding a telephone number to reach the management of Martin Theaters because a recording answers incoming calls making it impossible to contact the management.

Mayor Garrison stated that Eli Bernard, Youth Director for Denman Avenue Baptist Church, had telephoned in regard to the Ordinance and had a special interest. Mr. Bernard stated that he was satisfied with the policies presented by the Martin Theaters and his only concern was enforcement. Mr. Bernard further stated that the Ordinance also applied to video vendors and the City Commission might address rental of "R" rated movies by underage children at a future meeting. Mayor Garrison stated that this was a good faith effort on the part of Martin Theaters to keep underage children out of unsuitable motion pictures and an Ordinance would not be necessary at this time. Mayor Garrison stated that the item should be tabled until Martin Theaters' management had an opportunity to see if the policies would effectively work in the City of Lufkin.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Jack Gorden that the item be tabled for consideration at a future date when a member of the City Commission requested. A unanimous affirmative vote was recorded.

**8. ORDINANCE - APPROVED - SECOND READING - ELECTION ORDER - REGULAR CITY ELECTION - APRIL 6, 1985**

Mayor Garrison stated that Ordinance calling the Regular City Election for Mayor, Commissioner, Ward No. 2 and Commissioner, Ward No. 4 had been approved on First Reading at last meeting of this Commission.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Percy Simond that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**9. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - GUS BOESCH - RL TO MD**

Mayor Garrison stated that Zone Change Request by Gus Boesch covering property located at the end of Hubbard Street south of Paul Avenue and west of South Medford Drive from Residential Large to Manufactured Dwelling had been recommended to City Commission for approval by the Planning & Zoning Commission. There was no opposition present.

Gus Boesch stated that the lots will be approximately 20,473 sq. ft., will be available for sale to the public, and the owners would be allowed to place manufactured dwellings on these lots.

In response to question by Mayor Garrison, Mr. Boesch stated that the City should pave Hubbard Street and that he had discussed this with

the City Manager who indicated that the City of Lufkin would follow City policies. Mr. Boesch stated that Hubbard Street is now a dirt street extending within approximately 600' of his property, and adjacent property owners have mowed the unpaved right-of-way.

In response to question by Mayor Garrison, City Manager Westerholm stated that City policy is that streets would be graded and made all-weather with hot sand or oil being applied to the surface. Mr. Boesch stated that the Ordinance indicates that the City will extend dedicated streets in the same manner that they are presently surfaced and all interior streets of the subdivision would be curbed and guttered by him. Mr. Boesch stated that much of east Lufkin has property that is in disrepair and absentee ownership, but he appreciated the City Commission's efforts to improve this area of the City. Mr. Boesch stated that he believed this would be the highest and best use for this property because of the location.

Mayor Garrison stated that he was attempting to understand what Mr. Boesch was expecting from the City in regard to Hubbard Street, and an estimate of the City's cost to pave Hubbard Street to Mr. Boesch's property would be helpful. Mayor Garrison stated that Mr. Boesch should not be allowed to assume that the City will pave Hubbard Street if the City does not plan to do so, and an understanding should be reached before the Ordinance is approved on Second Reading. Mayor Garrison stated that there would be ample time between the First and Second Reading for the City to decide what action would be taken in regard to Hubbard Street.

In response to question by Commissioner Pat Foley, City Manager Westerholm stated that there had been similar instances where streets were extended, i.e. the Mayberry property and Cunningham Street was extended to Ford Chapel Road with the residents providing the revenue for curb and gutter on Cunningham Street. Mr. Boesch stated that Hubbard Street has a good surface at the present time and an extension of that surface would be ample for the subdivision. Mr. Boesch stated that he was dedicating two (2) acres inside the subdivision to include a lake and recreation area that would be owned jointly by all the property owners. Mayor Garrison stated that the City of Lufkin needed the development in this area of town and information regarding the cost on Hubbard Street was needed before the Second Reading of the Ordinance.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

**10. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - ADAMS, MUSICK & RICHARDSON - RL TO LB, SU (PROFESSIONAL OFFICES)**

Mayor Garrison stated that Zone Change Request by Adams, Musick & Richardson covering property located on South John Redditt Drive between Turtle Creek and Copeland from Residential Large to Local Business, Special Use (Professional Offices) had been recommended to City Commission for approval by the Planning & Zoning Commission.

Mayor Garrison recognized Gary Adams and Ernie Musick appearing in representation of Zone Change Request. Mr. Adams stated that his firm was an architectural engineering firm presently located on South First Street. Mr. Adams stated that negotiations had been finished on the property and his firm was now the official owners of the four (4) lots fronting on Loop 287. Mr. Adams stated that there would be one (1) entrance off Loop 287 into the Office Park and that the development would not penetrate the subdivision. Mr. Adams stated that a fence would be constructed across the rear property line and two (2) office buildings would be constructed on the property - one

(1) for a local insurance adjuster. Mr. Adams stated that there was a large drainage ditch on the lots that would be cleaned and landscaped to provide a park-like atmosphere, and the property would be left as wooded as possible with the buildings being residential in character. Mr. Musick stated that the opposition at the Planning & Zoning Commission was not from property owners in the neighborhood but from across the Loop and several streets from the development. Mr. Adams stated that he lives two (2) blocks from the subject property and was very concerned about how the property would be developed.

In response to question by Commissioner Lynn Malone, Mr. Adams stated that there was not a deceleration lane on this portion of the Loop which is bounded by a severe ditch and that utility poles in this area are within three (3) feet of the intersection. Mr. Musick stated that the entrance drive would have a larger radius than that required on street corners. Mayor Garrison stated that the power poles on this section of the Loop are too close to the driving surface. There was no opposition present.

Commissioner Jack Gorden stated that other cities have landscaping requirements on commercial construction and if the City of Lufkin did not have this in an Ordinance it would be worthy of consideration. Commissioner Pat Foley stated that there are some landscaping suggestions in the Thoroughfare Development Policy, but a specific amount of land is not required to be set aside for landscaping. Mayor Garrison stated that the Special Use designation provides the City Commission with some control but City Planner Nick Finan might be requested to provide his recommendations on adding to the Special Use requirement to provide landscaping plans. Commissioner Gorden stated that many commercial developments are outside the Special Use designation and City policy should be examined regarding feasibility of adding landscape requirements. Commissioner Gorden stated that the City of Tyler has a similar Ordinance. Mayor Garrison stated that an Ordinance encouraging builders to include provisions for landscaping would be a valuable tool. City Planner Nick Finan stated that the thoroughfare development policy provides guidelines in regard to landscaping and an Ordinance could possibly be developed from this policy.

Mayor Garrison stated that the Planning & Zoning Commission had placed certain requirements on the approval of the Zone Change Request to include the following provisions: radius of the driveway to be 25', maximum building size for architectural engineering building 52' x 70', insurance adjusters building maximum size 40' x 60', special use for professional offices, no nuisance lighting, and that construction be in accordance with thoroughfare development policy where it can be applied in regard to State Highway Department restrictions.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Jack Gorden that Ordinance be approved on First Reading with the inclusion of provisions imposed by the Planning & Zoning Commission. A unanimous affirmative vote was recorded.

#### 11. BUDGET AMENDMENTS - APPROVED - 1984-85 BUDGET YEAR

Mayor Garrison stated that the 1984-85 budget was adopted on a "line-by-line item" basis and the City Commission now had for consideration budget amendments for the first quarter of the budget year. City Manager Westerholm stated that because the budget was adopted on a "line-by-line item" basis, Commission approval was needed when any line in that budget is exceeded and each department head had been asked to identify another line item in their respective budget to absorb the overage in their department. City Manager Westerholm

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further stated that there have been unforeseen items in the first quarter of this budget year, such as a new employee in the Utility Collection Department and repair of a water well. City Manager Westerholm stated that a schedule identifying the items that need budget amendments had been provided to the Commissioners for their consideration. City Manager Westerholm stated that \$189,000 of the \$224,657.39 is for renovations to the sewer plant.

In response to question by Commissioner Pat Foley, City Manager Westerholm stated that a portable phone had been ordered for his office to allow the private line which does not ring in any other office to be answered when he or his secretary are away from their desk.

Commissioner Pat Foley stated that the funds have been expended before the City Commission is asked to approve the budget amendments which is the same problem that has been experienced in the past. Mayor Garrison stated that the audit report indicates there is a need for controlling this type of spending and that better controls should be adopted to cover over-expenditures.

In response to question by Mayor Garrison, City Manager Westerholm stated that the total amount for adjustments, \$224,657.39, should have the overage in Water Pollution Control Department subtracted which is \$189,000 because this amount has been provided for in the reserve fund, the extra employee in the Water Collection Department is approximately \$10,000, repair to the water well is approximately \$21,161, with approximately \$4,496.39 remaining for small items some of which were overlooked when the budget was developed such as renewing of notary bonds, flu shots and invoices that were not received until the '84-'85 budget year. City Manager Westerholm stated that the actual amount of budget amendments that have not been discussed previously by the City Commission is approximately \$14,000. City Manager Westerholm stated that he had planned to bring the budget amendments to the City Commission in December, but because the agendas were lengthy, it was decided to wait until a smaller agenda. City Manager Westerholm further stated that there is a possibility that the electric bill will be in excess of what is budgeted due to the increase in electric rates.

In response to question by Commissioner Percy Simond, City Manager Westerholm stated that the Finance Director is responsible for bringing overages in the budget to his attention.

In response to question by Commission Simond, City Manager Westerholm stated that the City pays for use of the Civic Center to keep a record of money that should be designated to that fund. City Manager Westerholm further stated that in previous years the Charter allowed the transfer of funds within a department if the department's budget was not overspent, but because the Commission asked for the budget on a line-by-line item basis this year, the Commission has to approve all overages.

In response to question by Commissioner Foley, City Manager Westerholm stated that at the present time there is \$68,000 in unencumbered funds and at the beginning of the budget year \$73,000 was unencumbered. City Manager Westerholm further stated that some bid items were less than the budgeted amount and the money remaining was transferred into the unencumbered funds.

In response to question by Commissioner Percy Simond, Drew Squyres stated that at the present time the City has no Black meter readers because Jerry Frazier quit in August to move back to California.

In response to question by Commissioner Lynn Malone, City Manager Westerholm stated that Gilbert Arnold has been with the City for 25

years and because Mr. Arnold comes to work every day, works on week-ends and gives the City a full days work in spite of his health problems, the City feels that he should be accommodated and allowed to work. City Manager Westerholm stated that each case is considered on its own merits and circumstances and that Olivett Davis, parking meter attendant, had received the same consideration after her surgery.

Commissioner Lynn Malone stated that a calculator had been obtained for the Ambulance Department in the amount of \$125 while another department had purchased a calculator for \$50. Rita Jenkins, Finance Director, stated that the calculator needed for the Ambulance Department is a heavy-duty machine with numerous functions and the machine used by the Drafter is a small machine without a printout.

Mayor Garrison stated that it would be unrealistic for the City Commission to expect to never have any items over the budget when equipment breakdowns and required hiring of extra employees cannot be anticipated. Mayor Garrison stated that because the budget is on a "line-by-line item" basis the budget amendments could be brought to the City Commission each month before the obligations are incurred. Commissioner Pat Foley stated that there will be instances when unexpected expenditures are necessary but the City would have been embarrassed if the City Commission did not agree with Drew Squyres that a new employee was needed and the City Manager had to terminate that employee. Commissioner Pat Foley stated that he was pleased to see that City Commission was being asked to amend the budget but was disappointed in the time lag between amendments and actual encumbrances. Mayor Garrison stated that it is the responsibility of the City Commission to watch the budget carefully and a better rapport should be developed between management and the Commission.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that budget amendments be approved as presented. A unanimous affirmative vote was recorded.

Commissioner Don Boyd stated that the Commission might consider an amendment for the statement received from Hannah & Guthrie Law Firm, but due to some questions, it was decided to place the invoice on a future agenda.

Commissioner Lynn Malone requested information in regard to car allowance for Ellen Scroggins in the Planning Department. City Planner Nick Finan stated that Mrs. Scroggins had taken the agenda to the Planning & Zoning Commissioners in her own car because there was not a department car available at the present time. Commissioner Percy Simond stated that there are very expensive City employees making deliveries, and the City Secretary should not have to make deliveries to the City Commission. Commissioner Simond stated that the City might consider a delivery person with an economical vehicle to save time and money. Commissioner Simond stated that making deliveries is not the best utilization of important employees. City Manager Westerholm stated that there are times when he makes deliveries to make contact with City Commissioners and answer any questions that might arise. Commissioner Simond questioned whether the City is liable if a City employee has an accident while making delivery. Assistant City Manager Brian Bourdreaux stated that the general liability policy of the City would cover any accidents of City employees in their personal cars while on City business. Mayor Garrison stated that the coverage provided by the City's insurance in this regard should be researched.

Commissioner Jack Gorden stated that the majority of the budget over-ages have been approved previously and that approximately \$13,898.95 is the additional amount being considered for amendment to the budget.

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Finance Director Rita Jenkins stated that \$300,000 which was overage in the Bond fund reserves, was used for the sewer plant modifications and the bond indentures require \$500,000 to be on hand to cover bond requirements and there is an excess amount in the bond fund reserve.

**12a. BID - TABLED - FIREWORKS - PARKS & RECREATION DEPARTMENT**

Mayor Garrison stated that bids had been requested for the purchase of fireworks for use at the 4th of July celebration and requested that City Manager Westerholm provide staff recommendations. City Manager Westerholm stated that the low bid was submitted by Zambelli but this company has fireworks that are made outside of the United States and information had been received from the State Fire Marshall that the company had an accident with their fireworks last year. City Manager Westerholm stated that Don Hannabas, Parks & Recreation Director, feels that Colonel Wise, Inc. has more dependable products and the City of Lufkin has used this company in the past without any accidents. City Manager Westerholm stated that \$4,500 has been budgeted which is equal to the amount of the bid.

In response to question by the Commission, City Manager Westerholm stated that the Lufkin Jaycees are the only club that is willing to spend the entire day at Ellen Trout Park and put on the shows to encourage the citizens to attend the celebration and all proceeds from the concession stands are kept by the club.

In response to question by Commissioner Don Boyd, Don Hannabas stated that the bid had indicated that Zambelli met all the specifications but that would not be revealed until delivery was received. Don Hannabas further stated that delivery would be made between May 1st and 15th and an itemized list would be checked against the products received. Don Hannabas further stated that the bid of both companies is good for a year, and if the Commission desired, approval of the bid could be postponed until the March 5th meeting. Mayor Garrison stated that he was inclined to use Zambelli's products and was concerned because the bid of Colonel Wise, Inc., matched the budget figure exactly. Don Hannabas stated that he had used the Colonel Wise, Inc. catalog to develop his figure for the budget item. Commissioner Don Boyd stated that he would like some information on Zambelli from cities that have used his product and information in regard to the accident.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that bid be tabled until next meeting of City Commission. A unanimous affirmative vote was recorded.

**12b. BID - APPROVED - REPAIRS TO WATER WELL #12 - LAYNE-TEXAS**

Mayor Garrison stated that bids had been received for the repair of water well #12 and requested that City Manager Westerholm provide staff recommendations. City Manager Westerholm stated that two (2) bids had been received for repairs to water well #12 and the amount for repairs is unknown until the well is pulled, but both companies had added \$10,000 to the bids for that consideration. City Manager Westerholm stated that Layne-Texas is the low bidder in the amount of \$15,600 and City staff would recommend that this bid be accepted. Mayor Garrison stated that the repairs could not exceed the \$10,000 as stated in their bids because there were no conditions placed on the \$10,000 for repairs. City Attorney Bob Flournoy stated that as presented the bids appear to be firm bids.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Lynn Malone that low bid of Layne-Texas in the amount of \$15,600 be



accepted as the lowest and best bid for repairs to water well #12. A unanimous affirmative vote was recorded.

**13. ANNUAL FIREWORKS DISPLAY - APPROVED - 4TH OF JULY CELEBRATION - ELLEN TROUT PARK**

Mayor Garrison stated that the City was planning their annual aerial fireworks display at Ellen Trout Park for Thursday, July 4th, 1985 and Commission approval was needed to allow use of fireworks.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Jack Gorden that aerial fireworks display be approved as presented. A unanimous affirmative vote was recorded.

**14. AMENDMENT - APPROVED - FIRST READING - PARKING ORDINANCE - 3RD STREET - TIME LIMIT**

Mayor Garrison stated that the Lufkin Association Downtown had requested that the all day parking on the east side of Third Street between Lufkin Avenue and Shepherd be changed to one hour parking and requested City Manager Westerholm provide staff recommendations. City Manager Westerholm stated that due to these parking spaces being used for all day parking by people working in the downtown area citizens attempting to pay their taxes are using private property for parking spaces.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that amendment to the parking ordinance be approved as presented. A unanimous affirmative vote was recorded.

Commissioner Percy Simond stated that the signs erected to indicate time limits for each parking area should have one sign in the middle of the block. City Manager Westerholm stated that the Street Department would check to see where additional signs should be installed in the downtown area. Mayor Garrison stated that the entire pole on which the signs have been erected should be painted one color.

**15. PARK PROJECTS - APPROVED - OIL LEASE REVENUES - KIT MCCONNICO PARK**

Mayor Garrison stated that Don Hannabas, Parks & Recreation Director, has recommended several improvements to Kit McConnico Park to be financed from funds derived from oil and gas leases and requested staff recommendations from City Manager Westerholm. City Manager Westerholm stated that these funds must be used for improvements to City Parks and 48.7% of the revenue was derived from Kit McConnico Park.

Commissioner Pat Foley stated that he did not remember the agreement signed on March 27, 1981, as being brought before the Commission for approval. City Manager Westerholm stated that he would check into that and report back to Commissioner Foley.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Pat Foley that plans as outlined by Parks & Recreation Director Don Hannabas be approved to include: parking lot striping, water fountain at the handicap pavillion, sidewalks from parking lot to handicap facilities, new aluminum bleachers, sprinkler system and archery pavillion. A unanimous affirmative vote was recorded.

Mayor Garrison stated that he had noticed a drainage problem at Kit McConnico Park and water was standing in the ditches. Parks &

Recreation Director Don Hannabas stated that the ditches possibly need to be cleaned out and he would check into the matter.

**16. AMENDMENT - APPROVED - CIVIC CENTER RATE SCHEDULE - NON-PROFIT CHARITABLE ORGANIZATIONS - DANCES**

Mayor Garrison stated that City Commission had requested that a recommendation on possible charges for dances at the Civic Center sponsored by charitable organizations, and Curtis Montgomery of the Lufkin Convention Bureau had submitted a proposal for consideration. Mr. Montgomery stated that the new rate for Room A would be \$200 as opposed to \$250 previously, and Rooms A,B,C and D would be \$250 as opposed to \$335, and the entire building would be \$300 as opposed to \$375. Commissioner Pat Foley stated that he was under the impression that the rates reduction would not include tables, chairs, and setup. Mr. Montgomery stated that he had included in the rates 10 tables and 100 chairs to put a limit on the amount for that price. Commissioner Don Boyd stated that some chairs would be needed but not 100 chairs. Curtis Montgomery further stated that charitable banquets would be covered under the regular rates. Mayor Garrison stated that the amendment could become effective, and if problems occur or it becomes too burdensome, Mr. Montgomery could return to the City Commission with another proposal. Mayor Garrison stated that a maximum amount of chairs could be indicated for each rate and that he approved of a flat rate.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Don Boyd that amendment be approved as presented without a charge for chairs and tables, and if the amendment becomes a problem, it could be reconsidered at a later date. Following vote was recorded: Aye: Mayor Garrison, Commissioners Malone, Gorden, Simond, Boyd, Bronaugh Nay: Commissioner Foley Mayor Garrison declared motion approved by a vote of 6 to 1.

**17. CERTIFICATE OF OBLIGATION, DISCUSSED - WATER STUDY, DISCUSSED - PARKING METERS - SOLD**

In response to question by Commissioner Percy Simond, City Manager Westerholm stated that the Resolution in regard to Certificates of Obligation being issued for construction of City Hall was approved at last meeting. Mayor Garrison stated that the Ordinance implementing Certificates of Obligation would be considered at the March 5, 1985, meeting.

Commissioner Pat Foley stated that the engineers conducting the water study for the City of Lufkin have most of their information together and if the City Commission is thinking about other water systems participating in the study, word should be sent from the Commission at this time. Commissioner Foley stated that he would like to suggest that this item be placed on the agenda for consideration at the next City Commission meeting. Commissioner Foley stated that if other water systems were added to the study, a portion of the cost could be borne by other entities. City Manager Westerholm stated that the study would be improved if some consideration were given to how much water could be sold by the City of Lufkin to surrounding areas. Mayor Garrison stated that he did not believe that any of the surrounding areas could afford to buy enough water to help the City of Lufkin, and he would like to see a letter from the engineers regarding this item before next meeting. Commissioner Foley stated that there would be no extra cost for the inclusion of surrounding areas.

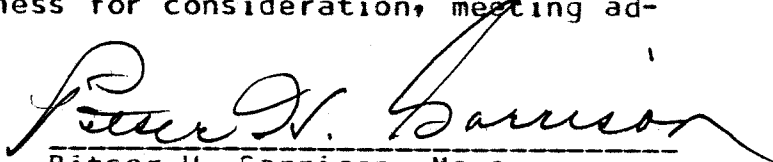
In response to question by Commissioner Jack Gorden, City Manager Westerholm stated that information on the sale of 435 parking meters had been included for City Commissions information and that Charles

Hineman had taken delivery of the parking meters for a price of \$2,002.36.

In response to question by Commissioner Jack Gorden, City Manager Westerholm stated that the ambulance that was wrecked during the ice storm would not be repaired and the insurance money would be held until next budget year to be used for the purchase of a new ambulance.


City Secretary Ann Griffin introduced Atha Stokes, secretary to the Commission.

18. There being no further business for consideration, meeting adjourned at 7:15 p.m.

  
Pitser H. Garrison, Mayor



ATTEST:

  
Ann Griffin, City Secretary

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