

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS HELD ON THE 4TH DAY OF DECEMBER, 1990, AT 5:00 P.M.

On the 4th day of December, 1990, 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:

Don Boyd	Mayor, pro tem
Percy Simond, Jr.	Commissioner, Ward No. 1
Bob Bowman	Commissioner, Ward No. 4
Jack Gorden	Commissioner, Ward No. 5
Paul Mayberry	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Bob Flournoy	City Attorney
Atha Stokes	City Secretary
David Cochran	Purchasing Agent

being present, and

Louis A. Bronaugh	Mayor
Danny Roper	Commissioner, Ward No. 3
Ron Wesch	Public Works Director/ Assistant to City Manager

being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Raymond Dunkin, Minister, Unity Baptist Association.

2. Mayor pro tem Don Boyd welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of special meetings held on November 19, November 20, November 26, and regular meeting of November 20, 1990 were approved on a motion by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman. A unanimous affirmative vote was recorded.

The following paragraph was added to item 13 (Agreement Extension for Brazos Transit System) of the minutes for November 20, 1990. "Commissioner Mayberry reminded the Commission that the new extension would include Item 2 of the former contract which calls for striking the capital costs".

4. PUBLIC HEARING - CLOSING A PORTION OF BRENTWOOD DRIVE

Mayor pro tem Don Boyd officially opened Public Hearing to consider closing a portion of Brentwood Drive.

No one appeared for or against the closing of this portion of Brentwood Drive.

Mayor pro tem Boyd closed Public Hearing.

5. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - MR. AND MRS. JAMES E. RADKE - 1007 SHERMELL - RESIDENTIAL LARGE TO RESIDENTIAL SMALL

Mayor pro tem Boyd stated that the next item for consideration was Second Reading of an Ordinance for Zone Change requested by Mr. and Mrs. James E. Radke covering property located at 1007 Shermell Drive from Residential Large to Residential Small.

There was no opposition present.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry that Ordinance for Zone Change requested by Mr. and Mrs. James E. Radke located at 1007 Shermell from Residential Large to Residential Small be approved on Second and Final Reading. A unanimous affirmative vote was recorded.

6. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - WILLIE SWINDLE - 102 NORTH AVENUE - LOCAL BUSINESS, SPECIAL USE (TWO CHAIR BEAUTY SHOP WITH ENTRANCE FROM NORTH STREET AND SAYERS STREET CONSIDERED A SIDE STREET) TO LOCAL BUSINESS, SPECIAL USE (BEAUTY SHOP)

Mayor pro tem Boyd stated that the next item for consideration was Second Reading of an Ordinance for Zone Change requested by Willie Swindle covering property located at 102 North Avenue from Local Business, Special Use (Two chair beauty shop with entrance from North Street and Sayers Street considered a side street) to Local Business, Special Use (Beauty Shop).

There was no opposition present.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Paul Mayberry that Ordinance for Zone Change as requested by Willie Swindle covering property located at 102 North Avenue from Local Business, Special Use (Two chair beauty shop with entrance from North Street and Sayers Street considered a side street) to Local Business, Special Use (Beauty Shop) be approved on Second and Final Reading. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - FIRST READING - PORTION OF BRENTWOOD DRIVE CLOSED

Mayor pro tem Boyd stated that the next item for consideration was First Reading of an Ordinance closing a portion of Brentwood Drive.

City Attorney Flournoy stated that this Ordinance is to close that portion of Brentwood Drive that is no longer needed because of improvements to Highway 59. City Manager Westerholm stated that the City will retain easements for water lines.

In response to question by Commissioner Bowman, City Attorney Flournoy stated that the property originally belonged to Kenneth Smith and the people who sold to Wal-Mart. Mr. Flournoy stated that a quit claim deed will help clear up the title to the property.

Commissioner Mayberry stated that he would like to commend the City Attorney for bringing this to the attention of the City Commission.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Percy Simond that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

8. REQUEST - APPROVED - LUFKIN YOUTH BASEBALL - MAJOR IMPROVEMENTS - GARRISON FIELD - MORRIS FRANK PARK

Mayor pro tem Boyd stated that the next item for consideration was a request from Lufkin Youth Baseball to make major improvements to Garrison Field at Morris Frank Park.

Sid Medford, representing Lufkin Youth Baseball, stated that the request to make improvements to the baseball field was prompted by lighting problems. Mr. Medford stated that a sports facility

company was called in to make a comprehensive study of the situation. Mr. Medford stated that the proposal is to upgrade the facilities and include plans to replace creosote poles with termite and woodpecker damage, with steel poles, completely replace all the lights, increase the bleacher seating capacity to approximately 1,000 people, and to tear out and replace old dugouts at a cost of \$100,000/\$20,000. Mr. Medford stated that the proposal to the Lufkin Independent School District was tentatively approved subject to receiving final bids. Mr. Medford stated that the cost of the improvements are to be paid primarily by LISD with some help from Lufkin Youth Baseball. Mr. Medford stated that their goal is to have the work completed by January 25th.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden to accept the proposal from Lufkin Youth Baseball to make improvements to Garrison Park at Morris Frank Park. A unanimous affirmative vote was recorded.

9. AUTHORIZATION TO PURCHASE - GRANTED - MACINTOSH COMPUTERS/PRINTER/RELATED HARDWARE - CITY MANAGER'S OFFICE

Mayor pro tem Boyd stated that the next item for consideration was authorization to purchase two (2) Macintosh computers, a laser printer and related hardware for the City Manager's office.

City Manager Westerholm stated that the purchase of this equipment was part of the employment agreement with C. G. Maclin the incoming City Manager.

City Manager Westerholm stated that there is a balance of \$10,188.40 in the Personal Property contractual Funds and the Commissioners may wish to use these funds for the purchase of this equipment.

Commissioner Paul Mayberry stated that he had made the motion at the June 5, 1990 City Commission meeting that the balance of these funds be transferred into the Interest and Sinking Fund and he would withdraw his motion.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Percy Simond authorizing the purchase of two Macintosh computers, a laser printer and related hardware for the City Manager's office to be paid for with funds from the Personal Property Contractual Fund. A unanimous affirmative vote was recorded.

10. BID - APPROVED - RC2 ASPHALT - FINA OIL AND CHEMICAL COMPANY

Mayor pro tem Boyd stated that the next item for consideration was for RC2 asphalt.

City Manager Westerholm stated that two bids had been received and they were identical. City Manager Westerholm stated that neither bid was firm because of the uncertain oil market. City Manager Westerholm stated that he would suggest that in this instance lots be drawn to determine who will be awarded the bid. (It was determined that the high number would prevail.) David Cochran drew #108 on behalf of Wright Asphalt Products Company and Fire Chief Kenneth Snyder drew #148 on behalf of Fina Oil and Chemical Company.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Jack Gorden that Fina Oil and Chemical Company be awarded the bid for RC2 asphalt. A unanimous affirmative vote was recorded.

11. EXECUTIVE SESSION

There were no items for consideration in Executive Session.

12. PURCHASE - AUTHORIZED - RIGHT-OF-WAY - BRENTWOOD DRIVE

Mayor pro tem Boyd stated that the next item for consideration was authorization for purchase of right-of-way on Brentwood Drive.

City Manager Westerholm stated that he had reported the current status of the property owners in his letter to the City Commission.

In response to question, City Manager Westerholm stated the \$28,035 to LUFCO would be paid from the Contingency Fund.

In response to question by Commissioner Bowman, Johnny Frank Medford stated that landowners who had contributed right-of-way were Sabine Investments, LISD and TU Electric.

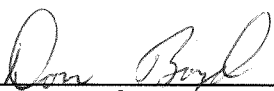
Mr. Medford stated that he was the negotiator for the City in purchasing the right-of-way. Mr. Medford stated that this is a farm road and State law requires that each individual tract be appraised. The State will approve the appraisal and then each property owner will be given a letter in writing stating the full appraised amount. (This has been done.) Mr. Medford stated that when property owners are advised of the appraised amount they are often not willing to donate the property.

City Manager Westerholm stated that property owners on the urban system can be traded curb and gutter for their property but on a farm road the City has nothing to trade.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry that authorization be granted for the purchase of right-of-way property from LUFCO in the amount of \$28,035. A unanimous affirmative vote was recorded.


Commissioner Mayberry requested that City Manager Westerholm continue to visit with the other property owners regarding a donation of their property.

13. There being no further business for discussion, meeting adjourned at 5:30 p.m.



Don Boyd, Mayor pro tem

ATTEST:



Atha Stokes, City Secretary