

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY
OF LUFKIN, TEXAS, HELD ON THE 3RD DAY OF AUGUST, 1982, AT 7:30
P.M.

On the 3rd day of August, 1982, 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
Percy Simond	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Pat Foley	Commissioner, Ward No. 4
Richard Thompson	Commissioner, Ward No. 5
E.C. Wareing	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Robert Flournoy	City Attorney
Ann Griffin	City Secretary

being present, and

Bob McCurry	Commissioner, Ward No. 3
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being absent, when the following business was transacted.

1. Meeting opened with prayer by Commissioner Richard Thompson
in the absence of pastor.
2. Mayor Garrison welcomed visitors present.
3. Approval of Minutes

Minutes of regular meeting of July 20, 1982 and Special
meeting of July 27, 1982, were approved on motion by
Commissioner Pat Foley and seconded by Commissioner Don
Boyd. A unanimous affirmative vote was recorded.

4. Public Hearing - Alley Closing - Approved First Reading -
Duncan Construction

Mayor Garrison stated that Duncan Construction was proposing to
construct a federal building, and in order to establish the
building, he is requesting that the alley located in Block
101 Original Townsite of Lufkin between North Angelina and
North First Street, be closed to utilize the entire block.
Public hearing was opened by Mayor Garrison. There was no
one present to speak in regard to alley closing.

Mayor Garrison stated that Roy B. Sinclair, City Tax Assessor,
had established fair market value for the 20 by 300 foot alley
in the amount of \$510.00. Mayor Garrison further stated the
city does not have any facilities in the alley.

Mayor Garrison officially closed public hearing.

It was the consensus of opinion of the City Commission that
alley closing be set for First Reading at next meeting of
City Commission.

5. Annexation & Permanent Zoning - Second Reading - Approved -
Duncan Construction - Hwy. 94

Mayor Garrison stated that annexation & permanent zoning
request by Duncan Construction covering property fronting on
Hwy. 94 west off Loop 287 to be zoned Commercial and Apartments
was previously approved on First Reading. There was no
opposition present.

Motion was made by Commissioner Pat Foley and seconded by
Commissioner E.C. Wareing that Annexation Ordinance be approved
on Second and Final Reading as presented. A unanimous affirmative
vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by
Commissioner E.C. Wareing that permanent zoning of property
to Commercial and Apartment be approved on Second and Final

Reading as presented. A unanimous affirmative vote was recorded.

6. Annexation & Permanent Zoning - Second Reading - Approved - Angelina & Neches River Railroad - LM

Mayor Garrison stated that annexation & permanent zoning request by Angelina & Neches River Railroad covering property located north of Loop 287 and east of Davisville Road containing approximately 16 acres to be zoned Light Manufacturing was previously approved on First Reading. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner E.C. Wareing that Annexation Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner E.C. Wareing that Permanent Zoning Ordinance be approved on Second and Final Reading zoning property Light Manufacturing. A unanimous affirmative vote was recorded.

7. Annexation & Permanent Zoning - Second Reading - Approved - R.H. Duncan Construction Incorporated - Brook Hollow Addition - RL

Mayor Garrison stated that annexation & permanent zoning request by R.H. Duncan Construction Incorporated covering two (2) lots at west end of Copeland Street and Brook Hollow Addition No. 5 to be zoned Residential Large had been approved previously on First Reading. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner E.C. Wareing that Annexation Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner E.C. Wareing that Permanent Zoning Ordinance be approved on Second and Final Reading zoning property Residential Large. A unanimous affirmative vote was recorded.

8. Annexation & Permanent Zoning - Second Reading - Approved - Omer E. Scogin - Herty Area - RS

Mayor Garrison stated that annexation & permanent zoning request by Omer E. Scogin representing property owners in Herty Area bounded by Freeman, McHale, Kent, and McKinney Streets was previously approved on First Reading. Mayor Garrison stated that final action had been withheld to determine how many property owners wished to join in request for annexation and permanent zoning and to obtain additional right-of-way for streets to allow compliance with the minimum width of streets in the City of Lufkin. Mayor Garrison further stated that a survey had now been completed, and approximately 80% of the property owners are willing to join in request and grant right-of-way.

In response to question by Commissioner Percy Simond, James Templeton, City-County Health Department, stated that if the property was not annexed, and property owners were found to have problems with their septic tanks, the City-County Health Unit would allow property owners time to correct the problem before prosecution began. Mr. Templeton further stated that each day of violation was treated as a separate offense, and systems that would have to be installed to correct the problem would cost approximately \$500.00 to \$8,000.00 depending on the size of the system.

Commissioner Pat Foley stated he was in favor of annexation & permanent zoning due to the large percentage of property owners agreeing to participate.

Mayor Garrison stated that condemnation proceedings might be

commenced to acquire right-of-way of five (5) feet from each side of proposed street if same had not been granted.

Motion was made by Commissioner Pat Foley and seconded by Commissioner E.C. Wareing that Annexation Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Percy Simond that Permanent Zoning Ordinance be approved on Second and Final Reading zoning Residential Small as presented. A unanimous affirmative vote was recorded.

9. Zone Change - Approved - First Reading - Steel-Martin Enterprises - C to C, SU (Item 6, Day Care Center)

Mayor Garrison stated that zone change application by Steel-Martin Enterprises covering property located at 1810 North Timberland, south of Lowery, and north of Banks, from C to C, SU, (Item 6-Day Care Center) had been recommended to City Commission by Planning & Zoning Commission. There was no opposition present.

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

10. Street Improvements - Approved - Rowe Ave.

Mayor Garrison stated that a request had been received from residents of Rowe Ave. to enter into an improvement program covering Rowe Ave. from Cain to Culverhouse Street.

City Manager Westerholm stated Rowe Ave. has the large storm sewer under it that was recently installed by the City, and the property owners are willing to participate in the cost of improving same. City Manager Westerholm further stated that every property owner has signed the petition and agreed to pay \$15.96 preliminary budget for the next fiscal year would cover the cost of improvements to Rowe Ave.

Commissioner Pat Foley stated that he was gratified to see property owners willing to participate in improving their neighborhood and the City should cooperate when possible.

Motion was made by Commissioner E.C. Wareing and seconded by Commissioner Don Boyd that improvements to Rowe Ave from Cain to Culverhouse Street be approved. A unanimous affirmative vote was recorded.

11. Fireworks Display - Approved - Historical & Centennial Commission - Labor Day

Mayor Garrison stated that a request had been received from Mary Jean Maroney, representing the Historical and Centennial Commission to conduct a centennial event which would include a fireworks display to celebrate Lufkin's 100th Anniversary.

Mrs. Maroney state that she was proposing an affair for all the people of Lufkin to be held at Ellen Trout Park at no cost to the City, but permission was needed to have a professional fireworks display across the lake for Labor Day Celebration. Mrs. Maroney further stated that free ice cream and refreshments would be served, and her group would be joined by the Lufkin Jaycees if their project of a 100 foot birthday cake could be completed by then.

Motion was made by Commissioner E.C. Wareing and second by Commissioner Percy Simond that fireworks display be authorized for Labor Day. A unanimous affirmative vote was recorded.

12. Texas Department of Highways & Public Transportation - Pershing Street - Railroad Signals - Tabled

Mayor Garrison stated that the Highway Department has submitted a plan for the installation of control gates at Pershing Street Railroad Crossing. Mayor Garrison further stated that this was considered previously by the City Commission at which time no action was taken, but the Commission should now determine whether the city wants the installation of same.

Commissioner Pat Foley stated that he objected to the installation of crossing arms at an open intersection and could not vote for same.

Commissioner Percy Simond stated that if the train was hidden at the Pershing Street Crossing, he could understand the need for the crossing arms.

Mayor Garrison stated that if the gates were not necessary, he would not be in favor of installation.

City Manager Westerholm stated that the City could possibly be liable if gates were recommended by the State Highway Department and not installed when an accident occurred at the crossing. City Manager Westerholm further stated that the City had a right to refuse installation of gates, but a letter to the State Department of Highways in Austin was needed for their records.

Mayor Garrison stated that he would like to have the Texas Highway Department inform the City why, in their opinion, the gates are required at the crossing on Pershing Street. Mayor Garrison further stated he would like to have their opinion as to how the installation would provide additional safety to the public, and an estimate of the amount of traffic impeded when the gates are malfunctioning.

It was a consensus of opinion of the Commission that the item should be tabled pending further information from the Highway Department regarding the proposal.

13. Budget Workshop - Date Established

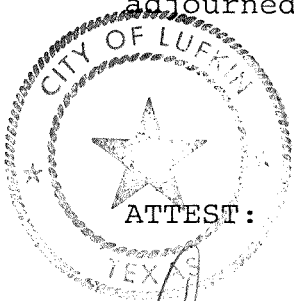
Mayor Garrison stated that he planned to be away on vacation for the next council meeting in August and the entire month of September. Mayor Garrison further stated that many problems had arisen with the budget, and he would like for the entire City Commission to be present for discussion of same. Mayor Garrison further stated that he had firm convictions about the present state of the economy in the City of Lufkin and the increasing burden facing the people of the City.

It was a consensus of the City Commission that the budget workshop should be held on August 10, 1982, at 5:00 p.m.

14. Police Department - Discussed

Commissioner Don Boyd stated that he would like to see how many officers in the police department had resigned and how many seasoned officers remain in the ranks.

15. There being no further business for consideration, meeting adjourned at 8:30 p.m.



ATTEST:

Ann Griffin
Ann Griffin, City Secretary

Pitser H. Garrison
Pitser H. Garrison, Mayor